

most of the coal-tar dyestuffs are definite chemical combinations to which a product patent is entirely applicable.

The idea was accordingly conceived that if the German chemical patents could be placed in the hands of any American institution strong enough to protect them, a real obstacle might be opposed to German importation after the war, and at the same time the American industry might be freed from the prohibition enforced by the patents against the manufacture of the most valuable dyestuffs. Accordingly, these considerations were laid before various associations of chemical manufacturers, notably the Dye Institute and the American Manufacturing Chemists' Association. The suggestion was met with an instantaneous and enthusiastic approval, and as a result a corporation has been organized to be known as the Chemical Foundation (Inc.), in which practically every important American manufacturer will be a stockholder, the purpose of which is to acquire by purchase these German patents and to hold them as a trustee for American industry, "for the Americanization of such institutions as may be affected thereby, for the exclusion or elimination of alien interests hostile or detrimental to the said industries, and for the advancement of chemical and allied science and industry in the United States." The voting stock is to be placed in a voting trust, of which the trustees are to be the five gentlemen who for months have been acting as the sales committee, which passes upon sales made by my department; that is to say, George L. Ingraham, former presiding justice of the appellate division, first department, New York Supreme Court; Otto T. Barnard, president New York Trust Co.; Cleveland H. Dodge; B. Howell Griswold, Jr., senior partner of Brown Bros., bankers, Philadelphia; Ralph Stone, president Detroit Trust Co., and the charter is so framed that under the patents nonexclusive licenses only can be granted on equal terms to all proper applicants, and must be granted to the United States free of cost. The company is capitalized at \$500,000, of which \$400,000 is to be 6 per cent cumulative preferred stock and \$100,000 common stock, also limited to 6 per cent dividends. The first president of the Chemical Foundation (Inc.) will be Francis P. Garvan, of the New York bar, to whose clear vision and indefatigable industry I am chiefly indebted in the working out of this plan. By Executive order obtained under the provisions of the act I have sold to this company for the sum of \$250,000 approximately 4,500 patents, the remaining \$250,000 has been provided for working capital, so that the company may be able to commence immediately and prosecute with the utmost vigor infringement proceedings whenever the first German attempt shall hereafter be made to import into this country. The charter of the corporation provides that surplus income is to be used for the retirement of the preferred stock and thereafter for the advancement of chemical and allied science and industry. The price thus paid was necessarily determined somewhat arbitrarily; the great majority of the patents were presumably valueless. The value of the remainder was entirely problematical and impossible to estimate.

Substantially the entire industry having combined for the purpose of this purchase, it would have been impossible on public sale to find as a bidder any legitimate manufacturer. No other bidder could, therefore, have been found on public sale except some speculative individual who might have bought them for purposes practically amounting to commercial blackmail. The combination was not objectionable to public policy since it was so organized that any genuine American, whether a stockholder of the company or not, could secure the benefits of the patents on fair and equal terms.

It is submitted that the organization of this institution constitutes the most important step that has been taken for the protection of the new industry. Tariff protection has proved utterly unavailing in the past. The German industry as hitherto organized, and still more as now organized, has had so much to gain by extending its foreign trade and by destroying the industry in other countries that it would undoubtedly give away its goods in this country for nothing in order to recover the American market. The Chemical Foundation, however, should prove a power sufficient to discourage in a most effective manner any German attempts in this direction. If, as their newspapers boast, the Germans have during the war worked out entirely new dyes superior to their past productions, the protection afforded by it will be invaluable. It has been the uniform experience of the industry that the introduction of new classes of dyestuffs follows only several years after the patenting of the original inventions on which their manufacture depends. Accordingly, the later dyes of to-day depend largely upon the patents of three or four years ago. The patents transferred to the Chemical Foundation include many German patents of 1917 and even of 1918, and also many applications still pending. These patents undoubtedly include the results of the research upon which must be based the manufacture of any new dyes which the Germans are now able to produce and market. Accordingly, at the very least, the institution will be able to protect the American industry for a considerable period, and this should be all it needs. It appears to be the universal view of the more competent manufacturers in this country that, given five years of freedom from German competition, the American industry can hold its own. Probably only a measure such as the embargo which appears to have been imposed by the British and French against all foreign dye importations can furnish this protection to the degree necessary to insure the safety of the American industry; but short of such an embargo, the Chemical Foundation would seem to furnish all the aid that possibly can be given.

At the same time the new institution promises an incalculable benefit not only to the dye and chemical industries, but to the whole American manufacturing world. The opportunities which it can offer and the rewards which it can hold out to competent research scientists should far exceed those of any institution unconnected with industry, and it may well, therefore, form the nucleus of the greatest research organization in the country.

TERMINATION OF WAR WITH GERMANY.

Mr. LODGE. Mr. President, I had hoped to be able to call up the peace resolution on Monday, but a number of Senators are away who will return on Monday or Tuesday. Therefore, I give notice that I shall call up the peace resolution on Tuesday immediately after the conclusion of the routine morning business.

ADJOURNMENT.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, May 10, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, May 8, 1920.

The House met at 12 o'clock noon.

The Clerk, Mr. William Tyler Page, offered the following prayer:

O Almighty God, who alone canst order the unruly wills and affections of sinful men, grant unto the people of the United States that they may love the thing which Thou commandest, and desire that which Thou dost promise, that so, among the sundry and manifold changes of this troublous world, our hearts may surely there be fixed where true joys are to be found; through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. ELSTON, indefinitely, on account of official business.

To Mr. WHEELER, for 10 days, on account of important business.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Duley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11960) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 795) to provide for the disposition of public lands withdrawn and improved under the provisions of the reclamation laws and which are no longer needed in connection with said laws.

RETIREMENT OF CIVIL-SERVICE EMPLOYEES—CONFERENCE REPORT.

Mr. LEHLBACH. Mr. Speaker, I call up the conference report on the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, and I ask unanimous consent that the statement of the House conferees be read in lieu of the report.

The SPEAKER. The gentleman from New Jersey calls up the conference report on the retirement bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 2, 4, 8, 9, and 15.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 5, 6, 10, 11, 13, 14, 16, and 19, and agree to the same.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: Strike out the words "sixty-two" and "sixty" where they occur and insert in lieu thereof the words "sixty-five" and "sixty-two," respectively, so that the amendment shall read: "Provided, That mechanics, city and rural letter carriers, and post-office clerks shall be eligible for retirement at 65 years of age, and railway postal clerks at 62 years of age, if said mechanics, city and rural letter carriers, post-office clerks, and railway postal clerks shall have rendered at least 15 years of service computed as prescribed in section 3 of this act"; and the House agree to the same.

Amendment numbered 7: That the Senate recede from its disagreement to the amendment of the House numbered 7, and agree to the same with an amendment as follows: Restore the original language stricken out, adding thereto the words "or by other competent authority," so that the amendment shall read: "appointed directly by the commissioners or by other competent authority"; and the House agree to the same.

Amendment numbered 12: That the Senate recede from its disagreement to the amendment of the House numbered 12, and agree to the same with an amendment as follows: In lieu of the language proposed by the House insert the following: "Provided, That no person employed in the executive departments within the District of Columbia, retired under the pro-

visions of this act during the fiscal year ending June 30, 1921, shall be replaced by additional employees, but if the exigencies of the service so require, places made vacant by such retirement may be filled by promotion or transfer of eligible employees already in the service"; and the House agree to the same.

Amendment numbered 17: That the Senate recede from its disagreement to the amendment of the House numbered 17, and agree to the same with an amendment as follows: After the word "redeposited," insert the words "with interest," so that the amendment shall read: "Provided, That all moneys so returned to an employee must be redeposited with interest before such employee may derive any benefit under the provisions of this act, upon reinstatement or retransfer to a classified position"; and the House agree to the same.

Amendment numbered 18: That the Senate recede from its disagreement to the amendment of the House numbered 18, and agree to the same with an amendment as follows: Between the words "be" and "entitled," in line 8 of the amendment, insert the word "legally," so that the amendment shall read: "Provided, That if in case of death the amount of deductions to be paid under the provisions of this section does not exceed \$300, and if there has been no demand upon the Commissioner of Pensions by a duly appointed executor or administrator, the payment may be made, after the expiration of three months from date of death, to such person or persons as may appear in the judgment of the Commissioner of Pensions to be legally entitled to the proceeds of the estate, and such payment shall be a bar to recovery by any other person"; and the House agree to the same.

FREDERICK R. LEHLBACH,
LOUIS W. FAIRFIELD,
HANNIBAL L. GODWIN,
Managers on the part of the House.
THOMAS STERLING,
ALBERT B. CUMMINS,
KENNETH MCKELLAR,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes on the amendments of the House to the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the committee of conference submitted in the accompanying conference report as to each of the said amendments, namely:

On amendment No. 1: Struck out the words "and approval" from the phrase "90 days next following the passage and approval of this act." The Senate recedes from its disagreement.

On amendments 2 and 3 the Senate bill provided for a uniform retirement age of 70 years for all employees.

On amendment No. 2: Struck out "seventy" and inserted "sixty-five." The House recedes from this amendment.

On amendment No. 3: "Provided, That mechanics, city and rural letter carriers, and post-office clerks shall be eligible for retirement at 62 years of age and railway postal clerks at 60 years of age." The Senate recedes from its disagreement and agrees to the amendment with an amendment which fixes the retirement age of the first class at 65 years and of the railway postal clerks at 62 years.

On amendment No. 4: Included under the provisions of the act "American citizens who are employees of the Panama Canal above the grade of laborer." The House recedes.

On amendments Nos. 5 and 6: Included employees of the Superintendent of the United States Capitol Building and Grounds and the Botanic Gardens. The Senate recedes from its disagreement.

On amendment No. 7: Struck out from the provisions including regular annual employees of the District of Columbia the words "appointed directly by the commissioners." The Senate recedes from its disagreement, agrees to the amendment with an amendment restoring this language and add thereto "or by other competent authority."

On amendment No. 8: Made the provisions of the act retroactive to September 30, 1919. The House recedes.

On amendment No. 9: Provided for higher annuities in cases of employees whose contributions would equal the present worth of such higher annuity. The House recedes.

On amendment No. 10: Clarifies the provision excluding military service upon which pension or compensation is based. The Senate recedes from its disagreement.

On amendment No. 11: Excludes from the computation of the period of service so much of any period of leave of absence as may exceed six months. The Senate recedes.

On amendment No. 12: Provides "That no person employed within the District of Columbia retired by reason of the provisions of this act during the fiscal year ending June 30, 1921, shall be replaced by additional employees." The Senate recedes from its disagreement with an amendment so that this proviso shall read: "Provided, That no person employed in the executive departments within the District of Columbia, retired under the provisions of this act during the fiscal year ending June 30, 1921, shall be replaced by additional employees, but if the exigencies of the service so require, places made vacant by such retirement may be filled by promotion or transfer of eligible employees already in the service."

On amendments 13 and 14: Provides for the approval as well as certification of the Civil Service Commission in cases of retention in active service of employees after retirement age. The Senate recedes from its disagreement.

On amendment No. 15: Provides for six years' retention in service after retirement age in place of four years. The House recedes.

On amendment No. 16: Substitutes the words "becoming eligible for retirement on an annuity" in the place of "reaching the retiring age" in the provision for return of contributions upon leaving the service. The Senate recedes from its disagreement.

On amendment No. 17: Provides that all money returned to an employee upon his severance from the classified service must be redeposited upon reinstatement before benefits under the provisions of this act revert. The Senate recedes from its disagreement and agrees with an amendment providing that such money must be redeposited with interest.

On amendment No. 18: Provides that the Commissioner of Pensions may pay over the balance of contributions to the estate of a deceased employee or annuitant, where the sum does not exceed \$300 and no letters testamentary or of administration have been taken out, to the person in his judgment entitled thereto. The Senate recedes from its disagreement and agrees with an amendment which inserts the word "legally" before "entitled."

On amendment No. 19: Struck out the words "for the fiscal year ending June 30, 1920," in the authorization for an appropriation for the administration of the law. The Senate recedes from its disagreement.

FREDERICK R. LEHLBACH,
LOUIS W. FAIRFIELD,
HANNIBAL L. GODWIN,
Managers on the part of the House.

Mr. LEHLBACH. Mr. Speaker, the only serious point of disagreement between the two Houses was with respect to the retiring age fixed in the bill. The amendment to the original bill adopted by the Senate and incorporated in the bill as it came to the House established a uniform retirement age of 70 years for all classes of employees. Amendments 2 and 3 of the House not only reduced the age of retirement but established two other classes for whom an earlier retirement age was fixed. One class was for mechanics, city and rural mail carriers, and post-office clerks, and the second class was for railway postal clerks. The reason for the differentiation between those two classes and the general run of employees was obviously the more arduous duties and the earlier superannuation that experience shows does result in those services.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. LEHLBACH. Yes; for a question.

Mr. CLARK of Missouri. What age was finally agreed upon?

Mr. LEHLBACH. That is what I was about to state. As far as the general run of employees are concerned, those who work in clerical positions here in the departments, the age was fixed in conference at 70 years, which was the age in the Senate bill, but the conferees agreed that as to the classes who perform arduous manual labor, some of them under climatic conditions that tend to undermine health, namely, the letter carriers, mechanics, and post-office employees, the age for them was fixed at 65 years, and for the most strenuous form of public employment—railway mail clerks—it was fixed at 62 years.

The conferees were unanimous in reaching that conclusion.

Mr. CLARK of Missouri. Did the gentleman read an article in the Washington Star in which it was figured out that this bill would save the United States Government four or five million dollars a year?

Mr. LEHLBACH. I did not read it, but I have no doubt that that will be the effect of this bill.

Mr. CLARK of Missouri. To save money?

Mr. LEHLBACH. To save money, yes; not only to save money indirectly by increasing the efficiency of Government employees but actually save cash money.

Mr. CLARK of Missouri. I am glad to hear it.

Mr. BLANTON. Does the gentleman suppose we can make the people of the United States believe that?

Mr. LEHLBACH. The people of the United States, at least in most sections of the United States, are intelligent and reasonably educated, and, of course, there will be no difficulty in getting them to understand it.

The other amendment to which I wish to advert is the so-called Dickinson amendment, which prohibits replacement. We have preserved that amendment but changed the verbiage, so that its true intent and meaning have been clarified.

I yield two minutes to the gentleman from Wyoming [Mr. MONDELL], and then I will move the previous question.

Mr. MONDELL. Mr. Speaker, the action of the House in agreeing to the conference report on the bill for the retirement of employees in the classified civil service completes the action of the House on this highly important legislation, and practically assures its adoption as a part of the law of the land.

Thus, Mr. Speaker, the Sixty-sixth Congress shall have placed to its credit another of those far-reaching constructive measures for which forward-looking, progressive-thinking men have long labored earnestly.

Mr. BLANTON. Mr. Speaker, if we are going to spend much time in such eulogies of the Sixty-sixth Congress, I think we ought to have a quorum here.

Mr. MONDELL. This session of this Congress will pass into history conspicuous for its record of efficiency, economy, and constructive enactments, and among these latter none will entitle the Congress to the favorable consideration of the country more than this bill, which will add to the stability, efficiency, and economy of the public service, and relieve deserving and faithful public servants from the haunting fear of a penniless old age.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman from New Jersey yield to me two minutes?

Mr. LEHLBACH. I yield to the gentleman from Illinois two minutes.

Mr. MANN of Illinois. Mr. Chairman, I notice that the conference report agrees to the amendment which strikes out, in section 15, the words:

For the fiscal year ending June 30, 1920.

That leaves the section to read:

SEC. 15. That there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of \$100,000 for salaries and for clerical and other services, the purchase of books, office equipment, stationery, and other supplies, and all other expenses necessary in carrying out the provisions of this act, including traveling expenses and expenses of medical and other examinations as provided in section 5 hereof.

The original provision made an authorization of an appropriation for the current fiscal year. This makes an authorization for an appropriation for these services, apparently limited hereafter to \$100,000. I do not know what the effect of it will be, but I expect when the \$100,000 is exhausted somebody will make the point of order that Congress, having specifically limited the amount which could be appropriated for these purposes, can not put in an appropriation bill anything for this purpose against a point of order. It may require an amendment to the law.

Mr. LEHLBACH. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

On motion of Mr. LEHLBACH, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

Mr. LEHLBACH. Mr. Speaker, I ask unanimous consent that the bill (H. R. 3149) providing for the retirement of civil-service employees, of the same tenor as the bill S. 6199 and which is on the calendar, be laid on the table.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that the bill H. R. 3149 be laid on the table. Is there objection?

There was no objection.

Mr. CALDWELL. Mr. Speaker, I make the point of order that no quorum is present. I do this because the Republican side of this House, which can not keep a quorum here, has continuously refused me an opportunity to speak.

The SPEAKER. The gentleman from New York makes the point of order that no quorum is present. Evidently there is no quorum present.

Mr. GOOD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names.

Andrews, Md.	Dewalt	Kahn	Reber
Anthony	Donovan	Kelly, Pa.	Rhodes
Ayres	Dooling	Kendall	Riordan
Bacharach	Drane	Kennedy, Iowa	Robinson, N. C.
Baer	Dyer	Kennedy, R. I.	Rodenberg
Bankhead	Eagan	Kettner	Rose
Benson	Edmonds	Kiess	Rouse
Blackmon	Ellsworth	Kitchin	Rowan
Bland, Ind.	Elston	Kreider	Sabath
Bowers	Emerson	Lankford	Sanders, Ind.
Brand	Ferris	Lazaro	Scully
Brinson	Fields	Lee, Ga.	Sears
Britten	Gard	Leshner	Shreve
Brooks, Pa.	Garrett	Loneragan	Siegel
Burke	Goldfogle	Longworth	Slemp
Butler	Goodall	McCulloch	Smith, Ill.
Byrnes, S. C.	Goodwin, Ark.	McFadden	Smith, N. Y.
Campbell, Kans.	Gould	McKinley	Snell
Cantrill	Graham, Pa.	Maher	Snyder
Caraway	Griest	Mann, S. C.	Steagall
Carew	Griffin	Martin	Steele
Cars	Hamill	Mason	Steenerson
Carter	Hamilton	Mead	Stephens, Ohio
Casey	Harrison	Moon	Strong, Pa.
Clark, Fla.	Hastings	Mooney	Sullivan
Cleary	Haugen	Moores, Ind.	Summers, Wash.
Cooper	Hayden	Morin	Temple
Copley	Hays	Neely	Tillman
Costello	Healin	Nelson, Wis.	Tinkham
Crago	Hernandez	Nolan	Upshaw
Cramton	Hill	O'Connell	Vare
Crisp	Hulings	O'Connor	Walters
Cullen	Humphreys	Pell	Ward
Curry, Calif.	Husted	Phelan	Weaver
Dale	Hutchinson	Platt	Wheeler
Dempsey	Igoe	Porter	Williams
Denison	Johnston, N. Y.	Pou	
Dent	Jones, Pa.	Ramsey	

The SPEAKER. On this call 276 Members have answered to their names. A quorum is present.

Mr. GOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

PERSONNEL OF THE NAVY AND COAST GUARD.

Mr. KELLEY of Michigan. Mr. Speaker, at the request of the gentleman from Pennsylvania [Mr. BUTLER], chairman of the Committee on Naval Affairs, I present a conference report to be printed in the RECORD under the rule.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 11927) to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation.

THE NATIONAL GUARD.

Mr. MONAHAN of Wisconsin. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter and note connected with it that I have received relative to the organization of the National Guard. This comes from the adjutant general of the State of Wisconsin.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to print in the RECORD the letter and note to which he refers. Is there objection?

Mr. CALDWELL. Reserving the right to object, and I shall not object, I would like to ask the gentleman if this is the National Guard Association plan or the plan of the adjutant general?

Mr. MONAHAN of Wisconsin. It is virtually opposing the Wadsworth amendment to the present Army bill.

The SPEAKER. Is there objection?

There was no objection.

The letter and note are as follows:

STATE OF WISCONSIN,
THE ADJUTANT GENERAL'S OFFICE,
Madison, Wis., May 4, 1920.

Hon. JAMES G. MONAHAN,
Washington, D. C.

MY DEAR SIR: May I ask your immediate consideration of the enclosed memorandum relating to the amendments (Senator WADSWORTH) of H. R. 12775, Army reorganization bill, and such action as is possible to prevent their adoption.

The reasons why this very urgent request is preferred are fully given in the memorandum.

Sincerely, yours,

ORLANDO HOLWAY,
The Adjutant General, Wisconsin.

Senate amendments, Army reorganization bill, H. R. 12775.

STATE OF WISCONSIN,
THE ADJUTANT GENERAL'S OFFICE,
Madison, Wis., May 3, 1920.

If the proposed Senate amendments become law, the entire military code of the State of Wisconsin, and quite certainly of most, if not all, other States, becomes at once inoperative in respect of the National Guard in its changed status, and all State appropriations for military purposes unavailable for their use, since both code and appropriations were made for Organized Militia of the State and not for Federal troops stationed within the State in whatever degree these may be subject to the governor's orders. Possibly State legislatures have the right to appropriate moneys, and may in time do so, for the maintenance of soldiers not enlisted in the State service, but the contrary opinion will be eagerly seized upon and pressed by the many who oppose and wish to minimize appropriations for military purposes.

In the meantime the National Guard will either not be formed, or, if now formed, go down through lack of proper support. In like case with many others, this State, if the law is enacted, is confronted with the necessity of immediately mustering out 4,000 and over officers and men who are already commissioned and enlisted under the national-defense act oath. There will be no authority to continue in their behalf any of the usual State allowances for armory rentals, for care of property, or for other legitimate company expenses which have aggregated annually a sum approximately \$250,000,000.

Under the national-defense act authority is reserved to the States to train their troops according to the discipline prescribed by Congress. Under the proposed law State governors are entirely divested of this authority. State armory drills and the dates, the duration, and even the location of camps and schools of instruction will be fixed not by arrangement and order of State governors but at the will of the War Department, which, in practice, will customarily intrust camp details to the respective Army corps commanders within whose jurisdiction the States concerned are comprised.

Those who favor the enactment of the Senate amendments seek to convey the impression that the force to be organized in pursuance of these amendments will be largely and usually under the control and subject to the orders of the several State governors.

In reality the exact contrary is true. It is almost entirely through their authority to organize and to train the militia according to the discipline prescribed by Congress that State governors have had to do with the Organized Militia of the several States.

Under the proposed system this authority, both as to organization and training, ceases to exist.

Practically, a State governor will have occasion to use and to issue his orders to State troops only in emergencies arising from public disasters or riots, actual and threatened.

Such occasions are, fortunately, very infrequent. During the past 40 years, for instance, the governor of Wisconsin has called detachments of the organized militia of the State into active service on account of public disaster or threatened riot only seven times. The largest force called at any time was a regiment, and on the other occasions a battalion or less sufficed.

The history of other States in this respect does not vary materially from that of Wisconsin. Even in these rare occasions the language of the amendments (p. 64), "entitled to use," and of the National Guard oath of enlistment, "subject to the Constitution and laws of the United States," renders exceedingly doubtful whether an application to the President of the United States or the War Department official to whom the President's authority may have been delegated, must not in each case be first made by a State governor before the latter may use the troops which the law merely entitles him to use.

A governor, as State executive, is by the law qualified for the direct command of the troops in question, is furnished with grounds to seek or claim such command successfully, but he must first ask for it. In practice the law will be so construed.

But this objection is of minor importance in comparison with the effect of the proposed amendments on National Guard recruitment.

In connection with the placing of the administration of all military training in the sole and direct charge of the War Department, it should be noted that the proposed law puts no maximum limit on the duration of annual training camp periods. There must be in each year at least 15 days of such training, and may be as many more as the War Department shall require. But whether the camp period or periods extend 15 days or more, the national guardsman, by reason of his enlistment oath, is compelled to attend. If he is absent, he is specifically by the law made subject to court-martial, not as a member of the Organized Militia but under the drastic and rigid rules which govern Army courts-martial. He is even subject to the same procedure for non-attendance at drills at his local station.

Whether or not a procedure that may involve such severe penalties is necessary, the widespread odium which has attached to recent Army courts-martial and their excessive sentences will quite completely deter from enlistment in a Federalized National Guard. Few men will voluntarily assume the onerous duties of guard service, if minor derelictions in such service may subject them to months and even years of imprisonment at Fort Leavenworth or elsewhere. It is of little use to represent to the men that the authority for such courts-martial is necessarily in the proposed law, but will be exercised only in extreme cases. Influenced by the record of past courts-martial and sentences, they are so fearful of the contrary that they will not put their personal liberty in jeopardy by enlistment.

I am firmly convinced that only a few weak units of Federalized National Guard can be formed. Verbage stripped away, what is required of the members of this force is, after all, enlistment in the Army of the United States. The success of the Regular Army recruiting service, with a multitude of officers and men under pay and with apparently unlimited funds for advertising and other expenses, does not augur well for the recruitment of a Federalized National Guard which has none of these aids and advantages.

With so much that will be certainly lost, it is difficult to comprehend what is to be gained by the enactment of the Senate bill as now proposed.

Training and discipline of the troops, if there are any, remain the same, the change being merely in the administration. Officers, if there is occasion for them, are to be selected from the same eligible classes and under conditions which practically assure the selection of the same persons as under the present law. Power is not even shorn away from much-berated State adjutants general, except as it is proposed to be taken from State governors, without whose orders adjutants general have no authority.

The uses of the proposed State troops in contradistinction to organized militia are certainly not amplified, but are, on the other hand, restricted.

George Washington, whose precepts have been quoted much as the devil uses Holy Writ, said in his last message to Congress (1795): "In my opinion Congress has power by the proper organization, disciplining, equipment, and development of the militia to make it a national force capable of meeting every military exigency of the United States." What reason is there now to discredit this well-considered counsel?

The national-defense act (June 3, 1916) is the first fairly adequate step taken by Congress toward such proper organization, disciplining, equipping, and development of the organized militia. The peace-time operation of this law was confined to a few months. Yet the force, aggregating nearly 400,000 officers and men, which came into being in consequence of the law, has proven in war its equality with the best.

Why change the system now except by amendments that will tend to assure more rapid development of the National Guard in its present status and provide means and facilities for a greater amount of training?

With the status of the organized militia clearly defined in law, there is less real opportunity for misunderstanding and jealous rivalry, less occasion for cleavage than would arise between officers, permanent and reserve. The organized militia, whether officers or men, would remain as it is, a citizen army whose military service would be without thought of permanency and for protective and defensive purposes only. The permanent officers who served with and helped the militia would receive in their degree the same regard and reward that was given to Grant and Sherman.

O. HOLWAY,
The Adjutant General, Wisconsin.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13780, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, with Mr. ANDERSON in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn, and the Clerk will read.

There was no objection, and the Clerk read as follows:

For care and maintenance of greenhouses, Executive Mansion, \$9,000.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I do so for the purpose of asking unanimous consent to proceed for 10 minutes out of order. I assure the Members of the House that what I have to say is very pertinent to the bill, and that I do not intend to be personal in my remarks. I merely want to say something that I had in my mind yesterday, and I hope there will be no objection to my request.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

Mr. GOOD. Mr. Chairman, reserving the right to object, we have had three days, or almost three days, of general debate upon this bill, when the widest latitude was given to speak upon any subject. We now have been trying to read the bill for three days and have read only 63 pages. I shall be constrained to object to any request for unanimous consent while we are reading the rest of the bill for any remarks that are made out of order. We must confine our consideration of the bill to debate of the items of the bill if we are to finish it.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. CALDWELL. I will say to the gentleman that I did not have opportunity to speak upon the bill under general debate. I have not talked upon anything except a little while yesterday, when a matter was brought up in which I am particularly interested. Ordinarily I do not participate in discussion of legislation of which I have not made some special study. I have made a study of this subject, and I think the gentleman will facilitate the passage of his bill if he will give me 10 minutes.

Mr. GOOD. Mr. Chairman, if the gentleman be granted time to speak out of order, as in general debate, then some one will want to reply. Then some one will want to make another reply, and such a course does not facilitate the passage of the bill. If the gentleman's request be granted, then the request of any of the other 434 Members for the same thing must be granted.

The CHAIRMAN. Does the gentleman from Iowa object?

Mr. GOOD. I object.

The CHAIRMAN. The gentleman from Iowa objects, and the gentleman from New York [Mr. CALDWELL] is recognized for five minutes on the pro forma amendment.

Mr. CALDWELL. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For lighting the Executive Mansion, grounds, and greenhouses, including all necessary expenses of installation, maintenance, and repair, \$8,600.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. Yesterday a statement was made on the floor of the House—

Mr. CANNON. Mr. Chairman, I did not hear the amendment. Is it to strike out the figures "\$8,600," at the top of page 63, for lighting the Executive Mansion?

Mr. CALDWELL. Mr. Chairman, I made the pro forma amendment to strike out the last word, and the gentleman from Illinois will understand that it is only for the purpose of getting the floor. If anyone objects to any statement that I make, I shall take my seat in an orderly way. Yesterday the statement was made that the graves registration service should not have the amount of money asked for, to wit, \$485,000.

Mr. GOOD. Mr. Chairman, I am obliged to make the point of order that the gentleman is not speaking to the amendment.

The CHAIRMAN. The gentleman from New York will proceed in order.

Mr. CALDWELL. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Lighting the public grounds: For lighting the public grounds, watchmen's lodges, offices, and greenhouses at the propagating gardens, including all necessary expenses of installation, maintenance, and repair, \$24,000.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. In that statement, as I was saying, they said that they were swivel-chair jobs in that service. I have before me a charge prepared in the War Department which I presume the chairman of the committee does not want to have put into the RECORD—

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. CALDWELL. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For heating offices, watchmen's lodges, and greenhouses at the propagating gardens, \$4,500.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. The last word here, Mr. Chairman, is "\$4,500." I call the attention of the House to the fact that in the chart that I referred to a moment ago there is not a single item carrying a salary greater than \$2,250, and that the head of no bureau besides that receives more than \$2,000.

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not in order.

The CHAIRMAN. The gentleman from Iowa makes the point of order.

Mr. CALDWELL. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Telegraph to connect the Capitol with the departments and Government Printing Office: For care and repair of existing lines, \$500.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. Yesterday it was said that these places were held by Democrats. I have made an investigation and find—

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not in order.

The CHAIRMAN. The gentleman from Iowa makes the point of order that the gentleman from New York is not in order. The gentleman will proceed in order.

Mr. CALDWELL. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Washington Monument: For custodian, \$1,200; steam engineer, \$960; assistant steam engineer, \$840; fireman, \$660; assistant fireman, \$660; conductor of elevator car, \$900; attendants—one on floor \$720, one on top floor \$720; three night and day watchmen, at \$720 each; in all, \$8,820.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word.

Mr. MADDEN. Mr. Chairman, I make the point of order that that motion is dilatory.

The CHAIRMAN. The Chair thinks that the gentleman from New York has the right to make the pro forma amendment. The gentleman from New York is recognized.

Mr. CALDWELL. As I said, I have investigated, and I find 51 male employees there, of whom 40 are Republicans.

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not in order.

Mr. CALDWELL. And the remainder of the employees are 227, all of whom are females.

The CHAIRMAN. The gentleman from Iowa makes the point of order that the gentleman from New York is not in order.

Mr. CALDWELL. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For fuel, lights, oil, waste, packing, tools, matches, paints, brushes, brooms, lanterns, rope, nails, screws, lead, electric lights, heating apparatus, oil stoves for elevator car and upper and lower floors; repairs to engines, boilers, dynamos, elevator, and repairs of all kinds connected with the Monument and machinery; and purchase of all necessary articles for keeping the Monument, machinery, elevator, and electric plant in good order, \$4,500.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word, which is \$4,500. This \$4,500 is about the amount of salary and allowances to a colonel in the Army; and I call attention to the fact that the head of the Cemeterial Bureau is a colonel in the United States Army and he is a registered Republican.

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not speaking to his amendment.

Mr. CALDWELL. Now, this \$4,500 that is in the motion I have made—

The CHAIRMAN. The Chair thinks the gentleman is in order, and the gentleman will proceed.

Mr. CALDWELL. This \$4,500 I move to strike out of this item altogether amounts to about as much as the salary of the chief clerk and his three assistants in the cemeterial organization up there, every one of whom is a registered Republican, and there is no man in the cemeterial organization not a civil-service employee who is a Democrat, and the Republicans on that side of the House have stricken from the bill their salaries. I withdraw the pro forma amendment.

Mr. GOOD. I make the point of order that the gentleman is not proceeding in order.

Mr. CANNON. Mr. Chairman—

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

Mr. CANNON. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman from Illinois will state his parliamentary inquiry.

Mr. CANNON. The gentleman is making a series of amendments and he is discussing them out of order. Is there no way by which words out of order under this condition can be eradicated from the RECORD?

The CHAIRMAN. The gentleman from Illinois occupied the position of the present occupant of the chair a great deal longer than the present occupant of the chair, and the Chair will recognize the gentleman from Illinois for any motion that is in order. The Clerk will read.

The Clerk read as follows:

Building where Abraham Lincoln died: For painting and miscellaneous repairs, \$200.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserve the point of order against the item.

Mr. BLANTON. Mr. Chairman, I make the point of order.

Mr. GOOD. It is not subject to the point of order.

The CHAIRMAN. Does the gentleman from Texas desire me to discuss it?

Mr. BLANTON. It is only \$100, and I do not think it needs any discussion. It is a private matter.

Mr. JOHNSON of Kentucky. Mr. Chairman, I was about to say that the United States Government does not own this house in which Lincoln died and for which this appropriation is made. Every year in this bill there is an appropriation of money out of the Public Treasury to keep in condition or improve privately owned property. The United States Government, as a matter of fact, should own this house, because Mr. Lincoln died there. It may be all right to charge an admittance fee to places in which distinguished men were born, because occasions of birth are those of happiness and joy; but it is all wrong to charge

an admittance fee to the pilgrims who come to this shrine where Lincoln died.

Mr. GOOD. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. GOOD. The committee was anxious to find out the exact facts with regard to the ownership of this building, and this is what the hearings show. I read from page 968, bearing on this subject:

The CHAIRMAN. You are asking \$200 for painting and miscellaneous repairs at the building where Abraham Lincoln died.

Col. RIDLEY. That building is just across from the Ford Theater Building. This house contains about 13 rooms, on four floors, and the first floor, containing four rooms, is occupied by a museum.

The CHAIRMAN. The Government owns that property?

Col. RIDLEY. Yes, sir; and this money is spent in repairs, including painting and plumbing, repairing the heating plant, and keeping up the property.

The clerk of the committee has investigated the matter and finds that the Government does own the property, but does not own the collection in the building.

Mr. JOHNSON of Kentucky. Then my information has been wrong; but does not the gentleman believe that the pilgrims, as I was saying, who come to this shrine of grief should not be charged an admittance fee to that place?

Mr. GOOD. Well, yes; because the Government has an arrangement with the owner of the collection and has permitted him to put a collection very properly in the building where Abraham Lincoln died. Now, I agree with the gentleman that the better way would be for the Government to own the collection and not charge any admission, but the Government simply owning the building and the man who has charge of it owning the collection, he makes some nominal charge—I think it is 25 cents—for admission, but the Government does own that building.

Mr. JOHNSON of Kentucky. May I ask what rent he pays for that building?

Mr. GOOD. I think he pays no rent at all.

Mr. JOHNSON of Kentucky. It is turned over to him free of rent for commercial purposes; is that correct?

Mr. GOOD. The rent paid, if any, is simply a nominal rent. The building was turned over to him because of the historical association and because of the wonderful collection that this man owns and which is housed in that building. He takes care of the property, and the only expense to the Government is the small expense annually of about \$200 for painting, and so forth.

Mr. JOHNSON of Kentucky. But it does seem to me that the people from over the country who wish, out of a spirit of reverence, to go to that house, since it is owned by the Government, should be permitted to do so without paying a fee, and I sincerely trust that in the next bill provision will be made by which the public will be relieved from the payment of a fee for going into this house. No spirit of commercialism should enter that transaction at all.

Mr. JUUL. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will yield to the gentleman.

Mr. JUUL. I want to ask the gentleman from Kentucky, who has had an intimate acquaintance for several years with the District of Columbia Committee, what, if any, steps have been taken at any time to avoid the charge of an admission fee to enter the house where President Lincoln died?

Mr. JOHNSON of Kentucky. So far as I am advised, the District of Columbia Committee has never had a bill before it with respect to the subject, but protests during a good many years gone by have been made against appropriating money for the support of this commercialized institution which is held so sacred by the people.

Mr. JUUL. And the District of Columbia Committee has never taken any steps?

Mr. JOHNSON of Kentucky. The District of Columbia Committee has really never had anything before it bearing on the subject.

Mr. Chairman, in view of the statement made by the gentleman from Iowa [Mr. Good] that the Government does own the property, I withdraw the point of order.

Mr. BLANTON. Mr. Chairman, I reserve the point of order.

Mr. WOOD of Indiana. Will the gentleman from Kentucky yield?

Mr. JOHNSON of Kentucky. I yield.

Mr. WOOD of Indiana. I wish to state to the gentleman in reference to this collection that the owner of the present property is the gentleman by the name of Mr. Olroyd. He has been trying for years to get the Government to purchase this collection.

Mr. JOHNSON of Kentucky. I do not doubt that at all. [Laughter.]

Mr. WOOD of Indiana. Not in order that he may make any considerable amount of money out of it, but he feels, as the gentleman believes, and I believe, and as we all believe, that it should be the property of the Government, and that no admittance should be charged therefor. I think it would be well for the proper committee to take this matter in hand in order that fees may no longer be charged.

Mr. JOHNSON of Kentucky. In addition to what I said, I will say that I do not believe that the hat which Lincoln wore upon the occasion of his assassination, or other articles of wearing apparel, should be exhibited for a fee to the curious public.

Mr. BLANTON. Mr. Chairman, I reserve a point of order, and I want to state the reason that I reserved the point of order—

Mr. GOOD. Mr. Chairman, I would like to have the gentleman make his point of order.

Mr. BLANTON. I want to give the reasons for it. I will vote for any kind of a reasonable appropriation to buy these relics in this house and separate them from any commercial proposition, and let it be open free to the people of the United States. I think we ought to take steps to separate this matter from the commercial side of it, and not let the man stay down there day and night and turn this Government building over to him rent free and permit him even to sleep there and maintain his family there, and charge every person that comes in there to see his private collection. I am in favor of having that collection owned by the Government, and will vote for any kind of a reasonable appropriation for it. I withdraw the point of order.

Mr. MILLER. I move to strike out the last word for the purpose of asking a question. Has the committee or the chairman any knowledge of how much money this man is making out of this house that the Government furnishes him free rent for?

Mr. GOOD. No.

Mr. MILLER. Has it ever had such knowledge?

Mr. GOOD. Not that I know of. This committee would have no jurisdiction of that subject. If we should carry an item for the purchase of the collection it would be subject to a point of order. The Government owns this building and appropriates \$200 a year to take care of it; to replace the broken glass and take care of the plumbing, painting, and so forth. It is a very small sum.

Mr. MILLER. What I am getting at is the amount of money this man is making out of this project.

Mr. GOOD. This committee has never gone into it, and it is not within the province of the committee.

Mr. CALDWELL. The owner of these relics occupies this building as a home, does he not?

Mr. GOOD. He occupies the upper story, I think.

Mr. CALDWELL. Now, at the high rate of rent in Washington, D. C., is the Government receiving anything for it?

Mr. GOOD. I think it receives a nominal rent.

Mr. CALDWELL. How much?

Mr. GOOD. I think, comparatively, a very small amount.

Mr. CALDWELL. The man gets the house free of charge to live in in this day of high rent, and he gets an opportunity to charge an entrance fee from people who come onto Government property, and now we offer a proposition here to repair the house he is living in.

Mr. GOOD. I am advised that when this property was purchased by the Government it was with the understanding that this collection should be put in there and the man should have the right to charge a reasonable entrance fee to persons viewing this collection which he owns.

Mr. CALDWELL. How long ago was that, could the gentleman tell us?

Mr. GOOD. I do not know, but it was a number of years ago. We have been appropriating money for it for repair of the building 10 or 12 years.

Mr. KING. I can give the gentleman some information regarding it.

Mr. CALDWELL. I will be glad to have it.

Mr. KING. I think it was about 30 years ago; possibly but 25. In Springfield, Ill., there is the old Lincoln home, where he lived and where he was married. This entire collection was kept in that house for many years. When John P. Altgeld was elected governor of the State of Illinois he forced Mr. Olroyd to take his collection and get out of the house, and this house here was the only place he could find where the collection could be exhibited.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

For continuing the construction of a reflecting pool in West Potomac Park, \$84,000.

Mr. BEE. Mr. Chairman, I wanted to ask the gentleman from Iowa in reference to this item on line 12 of \$84,000 for continuing the construction of a reflecting pool in West Potomac Park, that has no relation to the reflecting pool we have appropriated for for the Lincoln Memorial?

Mr. GOOD. Yes; it is the reflecting pool that is situated between the Washington Monument and the Lincoln Memorial.

Mr. BLANTON. It is in addition to what is on the property?

Mr. GOOD. Yes.

Mr. BEE. I have no objection if it is a part of the Lincoln Memorial lake. I did not know about the other.

The Clerk read as follows:

The appropriation of \$5,000 made in the sundry civil act approved August 1, 1914, for unveiling and dedicating the memorial to Gen. Ulysses S. Grant, and for each and every purpose connected therewith, including erecting and taking down viewing stands and putting the grounds in slightly condition, is made available for said purposes during the fiscal year 1921, and shall also be available for removal of such portion of the entire fence on the east side of the Botanic Garden as may be necessary to improve the surroundings of the said memorial.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserve a point of order on the item. Being a member of the Committee on the Library, I have taken an interest in the Botanic Garden, and I do not believe that the stone or brick substructure on which the iron fence itself is built should be torn down. I would like to ask the gentleman from Iowa if he would not be willing to agree to the amendment which I have submitted to him?

Mr. GOOD. I see no objection to it.

Mr. JOHNSON of Kentucky. Mr. Speaker, I withdraw the point of order and offer the following amendment.

Mr. MANN of Illinois. The point of order could not be withdrawn by any agreement of which you could not hear a word as to what the gentleman said.

Mr. JOHNSON of Kentucky. There is no point of order now at all.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky [Mr. JOHNSON].

The Clerk read as follows:

Amend by striking out all of lines 17 to 25, both inclusive, on page 64; and also by striking out lines 1 and 2 on page 65, and by inserting the following in lieu thereof:

"The appropriation of \$5,000 made in the sundry civil act approved August 1, 1914, for unveiling and dedicating the memorial to Gen. Ulysses S. Grant, and for each and every purpose connected therewith, including erecting and taking down viewing stands and putting the grounds in slightly condition, is made available for said purposes during the fiscal year 1921, and shall also be available for removal of so much of the iron part of the brick and iron fence on the east side of the Botanic Garden as in the opinion of the superintendent of the garden may be necessary to improve the surroundings of the said memorial. However, the large stone or brick gateposts on the east side of the garden shall be taken down to a level with the substructure which also is made of brick or stone."

Mr. MANN of Illinois. What is this last? Is this a part of the amendment?

Mr. JOHNSON of Kentucky. This is the amendment: The amendment strikes out that entire paragraph and inserts other matter in lieu of it; that is all.

Mr. MANN of Illinois. I thought the gentleman's amendment as it was read provided only for taking down the iron fence. Is this latter part an addition?

Mr. JOHNSON of Kentucky. The amendment providing for taking down the iron fence also provides for the taking down of the brick and stone wall and large gate posts.

Mr. MANN of Illinois. The gentleman's idea under his amendment would be that this wall would be left there?

Mr. JOHNSON of Kentucky. Yes. It is about 2 feet or more high. I believe that is necessary to have a physical line of demarcation between the highway and the garden. Instead of having only an imaginary line there, there should be a physical line of demarcation, because there are valuable plants and flowers in the garden that might be injured, and then when shows and parades come along there ought to be some line, visible line, beyond which the crowds may not surge.

Mr. MANN of Illinois. I agree with the gentleman that there ought to be something there, but this brick wall would probably cost as much to make it look presentable as it would cost to put up a concrete coping along there that would not be more than 2 feet high.

Mr. JOHNSON of Kentucky. But the gentleman must remember that there is no provision in the bill to do anything of that sort; and my proposition is to leave the low wall there until the very thing that the gentleman suggests can be done.

Mr. MANN of Illinois. I had thought of offering in this bill, possibly where it provides for the removal of this fence, an amendment to the extent of authorizing it to be put in proper repair. The expense of putting a coping there would not be very great, and you would have to put something on top of the brick wall anyhow.

Mr. JOHNSON of Kentucky. No; it is level. When the iron fence is taken off it will be burned off by the acetylene process, which will leave the iron posts smooth on the top of the stone surface.

Mr. MANN of Illinois. I have a high opinion of the views of the gentleman from Kentucky and of the superintendent down there, and I assume that the gentleman has recently talked with Mr. Hess about the subject?

Mr. JOHNSON of Kentucky. I have.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. BEE. Who is responsible for putting the monument to Gen. Grant in this place? The reason I ask is that people who come to Washington have expressed surprise to me and asked why there was not a monument to Gen. Grant in the city of Washington.

Mr. JOHNSON of Kentucky. I entertain no doubt that the Fine Arts Commission is. But about that I have nothing to say.

Mr. MANN of Illinois. Congress was responsible and President Roosevelt was responsible.

Mr. BEE. The result is that people believe that Gen. Grant has no monument in the city of Washington. They see that base there without any monument on it.

Mr. MANN of Illinois. There is none yet.

Mr. DALLINGER. What is proposed to be put on that central pedestal—a statue of Gen. Grant?

Mr. JOHNSON of Kentucky. I do not know anything about the details of the monument. I am only looking after the preservation of the grounds and the flowers after the dedication of the monument.

Mr. DALLINGER. I would like to ask the gentleman from Iowa where the statue is?

Mr. GOOD. The sculptor has been ill for a number of years, and year after year it has been necessary to postpone the ceremonies incident to the dedication. Col. Ridley has brought to the committee the information that the sculptor has regained his health and that the work is practically completed, and he hopes that the monument will be in readiness for dedication this fall.

The CHAIRMAN. The pro forma amendment will be withdrawn. The question is on agreeing to the amendment offered by the gentleman from Kentucky [Mr. JOHNSON].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Aqueduct Bridge: For continuing the construction of the bridge authorized in section 1 of an act entitled "An act to provide for the removal of what is now known as the Aqueduct Bridge, across the Potomac River, and for the building of a bridge in place thereof," approved May 18, 1916, \$500,000, one half to be payable out of the Treasury of the United States and the other half out of the revenues of the District of Columbia.

Mr. MANN of Illinois. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN of Illinois. I would like to ask the gentleman from Iowa if it is practicable to name the bridge the "Georgetown Bridge"? It used to be called the "Aqueduct Bridge," and I understood they propose to call it the "Key Bridge." I have no objection to naming something after Key. I think locality should have something to do with it. This bridge is at Georgetown, and Georgetown, as I understand, was named after George Washington, and it is quite as appropriate to commemorate it with his name as that of anybody else.

Mr. GOOD. I think it is correct that the words "Aqueduct Bridge" do not describe anything. Any bridge over a body of water might be called an aqueduct bridge.

Mr. MANN of Illinois. Mr. Chairman, I withdraw the point of order. It is subject to a point of order.

Mr. GOOD. Yes; it is subject to a point of order.

Mr. MANN of Illinois. I move to insert after the word "Columbia" this language, "which bridge shall hereafter be known as the Georgetown Bridge."

Mr. MONTAGUE. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. MANN of Illinois. Yes.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 65, line 10, after the word "Columbia," insert "which bridge shall hereafter be known as the Georgetown Bridge."

Mr. GOOD. Line 3 should be changed and line 6 should be changed also.

Mr. MANN of Illinois. That is part of the title.

Mr. GOOD. Will the gentleman yield for a question?

Mr. MANN of Illinois. Yes.

Mr. GOOD. I will say to the gentleman that I do not believe Georgetown was named after George Washington. I think it was named after King George the Third.

Mr. MANN of Illinois. I think not, although the gentleman may be right. I understand it was named after George Washington.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. DALLINGER. I do so for the purpose of asking a question of the chairman of the committee, if he has any idea as to when this bridge will be completed?

Mr. GOOD. My recollection of the testimony is that it will not be completed during the next fiscal year. In fact, not enough money is appropriated in this bill to complete the bridge, and it is anticipated that it will require about \$500,000, if I recollect aright, in addition to the amount already appropriated and the amount carried in the bill.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For works authorized by the river and harbor act of 1916, as follows:

Delaware River, Pa. and N. J.: For continuing improvement from Allegheny Avenue, Philadelphia, to the sea, in completion of contract authorization, \$300,000.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kentucky moves to strike out the last word.

Mr. KINCHELOE. Mr. Chairman, we remember that when the river and harbor bill was pending before the Committee on Rivers and Harbors, when they were proceeding with it in the usual way they have of proceeding, all of a sudden, overnight, at the instance of the Republican steering committee of the House, they slashed that total appropriation down to less than \$13,000,000.

In view of the fact that it is proposed to establish a 9-foot channel in the Ohio River, which if it was ever completed would be one of the greatest arteries of commerce in this country, I want to ask the gentleman why was not that emergency appropriation carried in this bill?

Mr. GOOD. The appropriations carried in this bill for river and harbor work are no different than similar appropriations in former years. Where a contract is let for river and harbor work authorized in a river and harbor appropriation act and where money is necessary for the carrying on of that contract, the money is appropriated in this bill. That has been customary heretofore.

Mr. KINCHELOE. I notice on page 66 an appropriation for the survey of the northern and northwestern lakes. That is not by virtue of any former act of Congress, is it?

Mr. GOOD. That is purely a proposition for surveying and mapping, and principally mapping with regard to navigation, and that, too, is an item that has been carried in this bill for many years.

Mr. KINCHELOE. Are all these appropriations for rivers and harbors, beginning with the paragraph that we now have under consideration, and following it, pursuant to former acts of Congress to carry out those appropriations?

Mr. GOOD. They are, and the river and harbor acts carrying the authorizations to which they relate are named in this bill.

Mr. KINCHELOE. I want to ask a question for information. I do not know whether the gentleman can give it or not, not being chairman of the Committee on Rivers and Harbors, but there was an agreement back in 1910 to establish a 9-foot channel in the Ohio River. Was that in an act of Congress?

Mr. GOOD. I am not advised as to that.

Mr. HUMPHREYS. Yes.

Mr. KINCHELOE. Then I am wondering why, pursuant to that act of Congress, there is no appropriation for the Ohio River at this time?

Mr. HUMPHREYS. There is an authorization for the continuance of what we call the continuing contract work, and when the engineers need any money they submit estimates for the continuation of the work, and it is always carried in the sundry civil bill, as it has been for a number of years. I am not advised on this particular point now, but I assume that they did not ask for any money for the continuance of the work.

Mr. GOOD. Nothing at all on the Ohio River.

Mr. HUMPHREYS. Because they have already got enough; but it would belong in this bill if money were required for the coming year.

Mr. MANN of Illinois. That appropriation is carried in the river and harbor bill.

Mr. KINCHELOE. But the river and harbor bill this year did not carry anything for the Ohio River.

Mr. MANN of Illinois. The river and harbor bill of this year did not carry anything for any specific project.

Mr. KINCHELOE. Absolutely not. It is a lump sum, and the spending of the small amount that was appropriated is left to the Army engineers instead of Congress directing it.

Mr. MANN of Illinois. They can use it for that purpose if they want to.

Mr. KINCHELOE. It is different from the former river and harbor appropriation acts. It is a departure from those acts.

Mr. GOOD. So far as this bill is concerned there is no departure. The appropriations herein contained are simply for meeting the payments on contracts already entered into, to carry out authorized projects.

Mr. CALDWELL. I move to strike out the last two words, for the purpose of asking the chairman of the committee a question. Are there any items for the continuing of river and harbor improvements that the Board of Engineers asked for, that ordinarily would have been appropriated for in this bill, that were not carried in the bill? In other words, has the committee turned down absolutely all of the amount requested for any one item by the river and harbor engineers?

Mr. GOOD. My recollection is now, without looking through the entire list, that the committee gave just what was estimated for except in cases where the department withdrew their estimates. They were for contracts that had been entered into, and the Government must pay its obligations, and it was on that theory that we gave what was estimated where the estimate was not withdrawn.

Mr. CALDWELL. So that there has not been any saving by the committee, but the saving was by the withdrawal of estimates by the Board of Engineers?

Mr. GOOD. The committee felt that it had no control over that matter.

Mr. OSBORNE. I move to strike out the last two words. In regard to the Ohio River I will say that there is an unexpended balance of several million dollars in the fund for that purpose, so that it is well taken care of.

Mr. KINCHELOE. Will the gentleman yield?

Mr. OSBORNE. Yes.

Mr. KINCHELOE. Of course, there is an unexpended balance of several million dollars, because the war came on and they were prevented from expending it; but if the Ohio River were to receive the same consideration at this session of Congress that it has been receiving in Democratic Congresses, in an effort to carry out the act of Congress establishing the 9-foot channel, they would not have been in one another's way in building these locks and dams clear to the mouth, and they could have expended all the money appropriated. That is no argument at all. It is just simply that they did not get what was coming to them under the act of Congress, that is all. These locks and dams are hundreds of miles apart, and there would be no conflict at all in the work. They could have worked on all of them if they had had the money.

Mr. OSBORNE. I will say in reply to the gentleman that the Board of Engineers report that there is ample money at their disposal for the improvement of the Ohio River, amounting, as I remember, to about \$10,000,000. I am not sure as to the exact amount.

Mr. KINCHELOE. If that is true—

Mr. OSBORNE. Of course it is true.

Mr. KINCHELOE. When the word came overnight from the Republican steering committee of the House to cut the river and harbor bill down to about \$12,000,000, and when even the ranking Democratic members of the committee did not know what had been done, why was it that the contracts for the Ohio River were not taken care of?

Mr. OSBORNE. The making of the lump-sum appropriation in the river and harbor bill did not in any way affect the large balance at the disposal of the engineers for the Ohio River.

Mr. KINCHELOE. Why certainly it did not. I am aware of that.

Mr. OSBORNE. The money is there ready for use.

Mr. KINCHELOE. But we are not carrying out the contract to establish a 9-foot channel, which the people all along the Ohio River expected to be done, and they took Congress at its word when they said they would do it.

Mr. CALDWELL. Will the gentleman yield?

Mr. OSBORNE. Yes.

Mr. CALDWELL. The gentleman is a member of the Rivers and Harbors Committee. I find in the hearings a statement by Col. Taylor that the work on the Hudson River, N. Y., was held up during the fall. Does the gentleman know why that was held up, or how it was held up?

Mr. OSBORNE. It was held up during the war.

Mr. CALDWELL. No; last fall after the war it was held up.

Mr. OSBORNE. I have no information except what is contained in the hearings.

Mr. CALDWELL. Col. Taylor in the hearings says that we do not need it, the work was delayed during the fall, and we find we can get along without it, we are cutting down appropriations wherever we can and it will not be necessary to have this money. I would like to find out what was the reason for the delay.

Mr. GOOD. We did not care as long as they were not pressing for the money. We were trying to hold down the bill because of the condition of the Treasury, and when he said that he did not need the money, that was the end of it to us.

Mr. CALDWELL. Regardless of the necessities of New York Harbor.

Mr. OSBORNE. I think New York Harbor is pretty well taken care of.

The Clerk read as follows:

Flood control: For prosecuting work of flood control in accordance with the provisions of the flood-control act approved March 1, 1917, as follows:

Mississippi River, \$6,670,000, to remain available until expended. Survey of northern and northwestern lakes: For survey of northern and northwestern lakes, Lake of the Woods, and other boundary and connecting waters between said lake and Lake Superior, Lake Champlain, and the natural navigable waters embraced in the navigation system of the New York canals, including all necessary expenses for preparing, correcting, extending, printing, binding, and issuing charts and bulletins, and of investigating lake levels with a view to their regulation, \$125,000.

Mr. WILSON of Louisiana. Mr. Chairman, I wish to congratulate the Committee on Appropriations and the entire membership of this House upon the approval of the item of \$6,670,000 for flood control on the Mississippi River for the next fiscal year under act of March 1, 1917.

My main purpose is to call the attention of the House to some very definite results attained under this law, which are of great importance to the country at large, as well as the Mississippi Valley, and it will not be necessary to go into any ancient history in order to do this.

The flood-control act of 1917 deals with the problem of flood control on the Mississippi River from Rock Island, Ill., to the Head of the Passes near the Gulf of Mexico, a distance of more than 1,000 miles. The fertile lands composing the alluvial valley of the Mississippi from Rock Island to the Gulf are protected from its flood waters by a system of levees made secure in many places by bank revetment. This levee system had been imperfectly formed and constructed through more than a hundred years of effort. For the lack of some general comprehensive plan and coordinated force the whole project had been largely a matter of patchwork until more recent years, when the Federal Government began to cooperate more liberally with the State and local authorities.

But never until the passage of the flood-control law, framed by the Committee on Flood Control and approved by Congress, was there any well established and unified plan under the sanction and control of the National Government giving substantial guaranty of permanent relief. Let me make a statement here which will give some insight into the actual results already achieved.

During the flood of 1912, which was one of the greatest in the history of the river, there were 11 breaks in the system of levees. In 1913 there were 5 breaks in the levee lines. In 1916, 2. It was during the flood of 1916, and while working out the provisions of the flood-control act, that the Committee on Flood Control inspected the entire proposition from Cairo to New Orleans. It would be quite impossible to give a definite

estimate of the great loss or to depict the sufferings occasioned by the floods resulting from these breaks in the levee system. It has been estimated at anywhere from sixty to one hundred million dollars for this short period.

To-day another great flood in the Mississippi, measuring close to the highest record of any of its predecessors, has been and is being conducted safely to the Gulf without a single break in the system making up 1,680 miles of levees, and with a minimum of loss and damage.

The flood-control act requires that one-third of the sums expended for levee construction shall be contributed by local interests, and that the local interests in addition to this shall acquire all necessary rights of way, provide maintenance, and all attendant expenses.

This involves the absolute cooperation on the part of the various levee districts created and organized in accordance with the laws of Illinois, Ohio, Missouri, Tennessee, Arkansas, Mississippi, and Louisiana with the Federal Government; both as to the plan and method of levee construction and as to the amounts of money to be contributed by each, as well as the expenditure thereof. Nothing could more fully attest the vital interest of those concerned in the completion of the project than the fact that this cooperation has been complete and that the work has proceeded without hindrance or interruption under the direction of the Mississippi River Commission, the Chief of Engineers, the Secretary of War, and the War Department. And right here, Mr. Chairman, I wish to say further that the State authorities and the various levee boards connected with this work have rendered the very highest quality of service to the people of the Mississippi Valley in the administration of the flood-control law.

The work is not yet complete, but the progress made and the results attained have completely justified every claim and promise made by the proponents of this measure, and establishes the fact that every appropriation made by Congress to carry out the provisions of this act has been urgently needed and well and wisely expended. Nothing short of a thorough demonstration of these facts would meet the approval of the present Committee on Appropriations.

Mr. Chairman and gentlemen, this great and important work is making it possible to hold intact, and available for the uninterrupted purposes of production of the most valuable crops known to our soil, some 30,000 square miles of the most fertile lands in the world. Confidence has been restored and established where once doubt and uncertainty prevailed. People from other sections of the country no longer halt and hesitate about making their homes and investing their capital in this wonderful section. The possibilities are limitless, and the true facts are just now becoming a matter of public knowledge and attracting the attention of the country.

When the Committee on Flood Control was created some doubt was expressed as to the wisdom of that action, and there was some opposition, based upon the belief that it would result in duplication of effort and that the entire problem might as well be handled by the Committee on Rivers and Harbors or some other of the then existing committees of the House.

Experience had taught those who had been struggling for years for relief against the flood waters of the Mississippi River that this problem had outstanding merits of its own compelling the very highest consideration, and was entitled to independent and comprehensive action, and that it should be separated from the uncertainties surrounding the annual appropriation for rivers and harbors or other activities not necessarily involving continuing contracts, and that the same should be true of the flood-control question in general.

Time and achievements have amply sustained the confidence and expectations of those who urged the creation of a separate committee, and justified the action of the House and demonstrated its wisdom, not only as to the formation of the committee, but also as to the passage of the act of March 1, 1917, relating to the Mississippi River and the Sacramento River, Calif., and which act also contains general provisions forming the basis for future legislation relating to flood control.

I predict that in the future this act will be referred to as the first great piece of national flood-control legislation in this country, and that it will be cited as forming the foundation of much constructive and beneficial legislation along that line, and also that the Committee on Flood Control will become one of the most important committees of this House, as its work reaches into every section of the country where there is a flood problem meriting consideration and action by the National Government.

Since a number of questions relating to flood control have been presented to the committee recently, it might be well to call attention to the general provisions of the act of March 1, 1917, which point out the method of procedure and conditions

essential in bringing a project within the requirements for legislative action. These provisions are as follows:

SEC. 3. That all the provisions of existing law relating to examinations and surveys and to works of improvement of rivers and harbors shall apply, so far as applicable, to examinations and surveys and to works of improvement relating to flood control. And all expenditures of funds hereafter appropriated for works and projects relating to flood control shall be made in accordance with and subject to the law governing the disbursement and expenditure of funds appropriated for the improvement of rivers and harbors.

All examinations and surveys of projects relating to flood control shall include a comprehensive study of the watershed or watersheds, and the report thereon in addition to any other matter upon which a report is required shall give such data as it may be practicable to secure in regard to (a) the extent and character of the area to be affected by the proposed improvement; (b) the probable effect upon any navigable water or waterway; (c) the possible economical development and utilization of water power; and (d) such other uses as may be properly related to or coordinated with the project. And the heads of the several departments of the Government may, in their discretion, and shall upon the request of the Secretary of War, detail representatives from their respective departments to assist the Engineers of the Army in the study and examination of such watersheds, to the end that duplication of work may be avoided and the various services of the Government economically coordinated therein: *Provided*, That all reports on preliminary examinations hereafter authorized, together with the report of the Board of Engineers for Rivers and Harbors thereon and the separate report of the representative of any other department, shall be submitted to the Secretary of War by the Chief of Engineers, with his recommendations, and shall be transmitted by the Secretary of War to the House of Representatives, and are hereby ordered to be printed when so made.

In the consideration of all works and projects relating to flood control which may be submitted to the Board of Engineers for Rivers and Harbors for consideration and recommendation, said board shall, in addition to any other matters upon which it may be required to report, state its opinion as to (a) what Federal interest, if any, is involved in the proposed improvement; (b) what share of the expense, if any, should be borne by the United States; and (c) the advisability of adopting the project.

All examinations and reports which may now be made by the Board of Engineers for Rivers and Harbors upon request of the Committee on Rivers and Harbors relating to works or projects of navigation shall in like manner be made upon request of the Committee on Flood Control on all works and projects relating to flood control.

The problem next in order under these provisions is that of protecting from flood waters the basins of the Atchafalaya, Red, and Black Rivers, in Louisiana, and their tributaries. A complete survey, as required, has been made and submitted to Congress, and I have introduced H. R. 12348 for the purpose of accomplishing this protection. Favorable action upon this measure will be sought at this session of Congress. After the merits of this problem are once fully known, I feel that Congress will not hesitate to commit the National Government to its solution.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last two words to ask the chairman of the committee a question. Do I understand that these surveys provided for in lines 6 to 14, page 66, are for the purpose of determining what obstruction or retainer shall be put at the lake so as to control the water during the flood season and let it out gradually?

Mr. GOOD. No; these surveys are of the same character as those by the Coast and Geodetic Survey on the Atlantic and Pacific coast waters. They are rather an aid to navigation, so that charts can be prepared for navigators.

Mr. CALDWELL. This whole paragraph is a part of the flood-control proposition?

Mr. GOOD. Not at all.

Mr. CALDWELL. Should not the bill have had some notation in there? At the top of the page as written by the committee you start out with "Flood control," and in line 3 is the language, "as follows." Then you start with the Mississippi River, an appropriation of \$6,676,000.

Mr. GOOD. Then comes a new head, "Survey of northern and northwestern lakes."

Mr. CALDWELL. I see; but it is not printed in the larger type.

The Clerk read as follows:

California Débris Commission: For defraying the expenses of the commission in carrying on the work authorized by the act approved March 1, 1893, \$15,000.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserve a point of order on the paragraph. In 1893, by act of Congress, this commission was given \$15,000 for the year in order to defray its expenses. Since that time \$15,000 has been appropriated for it every year, amounting to \$375,000. That commission has a large revolving fund. It collects thousands of dollars in fees, out of which may be paid everything that this \$15,000 would pay. For that reason I shall make the point of order against the item because as an unauthorized appropriation.

At the conclusion of the act of Congress there is this language. It will be found in volume 27, Statutes at Large, page 511:

The sum of \$15,000 is hereby appropriated from moneys in the Treasury not otherwise appropriated, to be immediately available, to defray expenses of said commission.

Now, I take the position that by that language an annual authorization has not been made, and as conclusive evidence of that is the language in the money clause of the bill that it is to be "immediately available." I do not think Congress was then looking to future appropriations, because it would not look years ahead and say that each and every subsequent appropriation should be "immediately available."

There is no language anywhere to be found which justifies the annual appropriation of this money, and because of that, and because the commission does not need it, I make the point of order on the paragraph.

Mr. GOOD. Mr. Chairman, I do not believe the item is subject to a point of order. Whatever may have been contained in the language of the appropriation, to which the gentleman refers, certainly the act creating the commission created a permanent commission. I read from the act of March 1, 1893, chapter 183, section 1, 27 Statutes, 507:

That a commission is hereby created, to be known as the California Débris Commission, consisting of three members. The President of the United States shall, by and with the advice and consent of the Senate, appoint the commission from officers of the Corps of Engineers, United States Army. Vacancies occurring therein shall be filled in like manner. It shall have the authority, and exercise the powers hereinafter set forth, under the supervision of the Chief of Engineers and direction of the Secretary of War.

The act then provides for organization and duties, and section 4 is as follows:

That it shall be the duty of said commission to mature and adopt such plan or plans, from examinations and surveys already made and from such additional examinations and surveys as it may deem necessary, as will improve the navigability of all the rivers comprising said systems, deepen their channels, and protect their banks. Such plan or plans shall be matured with a view of making the same effective as against the encroachment of and damage from débris resulting from mining operations, natural erosion, or other causes, with a view of restoring, as near as practicable and the necessities of commerce and navigation demand, the navigability of said rivers to the condition existing in 1860, and permitting mining by the hydraulic process, as the term is understood in said State, to be carried on, provided the same can be accomplished, without injury to the navigability of said rivers or the lands adjacent thereto.

As I understand it, the object of this legislation was to correct certain abuses in hydraulic mining. It was the habit of persons engaged in hydraulic mining to so mine for minerals and ores as to fill the river with débris, dirt, and things of that kind, which interfered with navigation. This commission was established to correct such abuses, and the amount that we are carrying here is only for the administrative expenses of the commission in carrying on the work authorized by that act. I can not see how any language that might have been carried in an appropriation for a given year could modify the terms of the law, outside of the expenditure of the appropriation for that year.

Mr. JOHNSON of Kentucky. Mr. Chairman, the gentleman from Iowa [Mr. Good] has taken the position that any commission is authorized of necessity carries an appropriation with it, notwithstanding that none may be made.

The CHAIRMAN. Will the gentleman permit the Chair to ask him a question?

Mr. JOHNSON of Kentucky. Certainly.

The CHAIRMAN. Is the gentleman from Kentucky contending that if the law does authorize the creation of a commission which is permanent in character it is not in order to appropriate for that commission or for the work which the act authorizes that commission to perform?

Mr. JOHNSON of Kentucky. Certainly I do; and the Chair will recall many instances where upon the floor when bills and resolutions were under consideration for the purpose of creating commissions many gentlemen would rise and ask if it is going to cost anything, and the answer would come, "No; that no appropriation is carried and none is authorized." In this case only one right to appropriate is authorized, and that is for the year 1893, to put this commission on its feet and start it to do the business until it begins to collect the license fees from these hydraulic miners who operate along these two rivers. As I said, they have this revolving fund in their hands from which they can pay every expense, and I take the position, and I feel quite confident that I am correct in it, that unless an annual appropriation is authorized the appropriation ends with the one which is made in the bill creating the commission.

The CHAIRMAN. The Chair is ready to rule. The language of the paragraph to which the gentleman from Kentucky makes the point of order is as follows:

California Débris Commission: For defraying the expenses of the commission in carrying on the work authorized by the act approved March 1, 1893, \$15,000.

If the law did not authorize this expenditure, the appropriation would not be effective, because it could not be expended by its express terms. The Chair has read the language of the act creating the California Débris Commission. It creates a

permanent commission, with powers which clearly are intended to extend indefinitely—very broad powers with reference to the regulation of the silt from hydraulic mining and the navigability of streams. The gentleman from Kentucky contends that the language in the last paragraph of the act, which provides as follows—

The sum of \$15,000 is hereby appropriated from moneys in the Treasury not otherwise appropriated, to be immediately available, to defray the expenses of said commission—

is in fact a limitation upon the appropriation which may be made for the use of the commission. The language of the act itself negatives that contention; and even if it did not, the language the gentleman from Kentucky refers to is clearly an appropriation and not an authorization for an appropriation. The mere fact that it is made immediately available simply indicates that the commission might begin to expend it at once instead of at the beginning of the fiscal year.

The Chair thinks that the paragraph is clearly authorized by law and therefore overrules the point of order.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to strike out the paragraph.

Mr. HUMPHREYS. Mr. Chairman, I hope the paragraph will not be stricken out. The work done by the California Débris Commission is a very important work. We authorized an appropriation just a few years ago of \$6,000,000 to carry on part of the work of the California Débris Commission.

Mr. JOHNSON of Kentucky. Then, what do they want this \$15,000 for?

Mr. HUMPHREYS. To carry on the work authorized by the act of March 1, 1893. This other is the act of March 1, 1917. This is to pay the administrative expenses of the commission, and there is no sort of doubt that the California Débris Commission is performing a very great service to the entire State of California. I think it will be a very great mistake to strike out the paragraph.

Mr. JOHNSON of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS. Yes.

Mr. JOHNSON of Kentucky. Is it not true that that commission is collecting millions of dollars in fees from hydraulic miners who operate along these two rivers?

Mr. HUMPHREYS. I do not know, I will say to the gentleman, how much they have collected.

Mr. JOHNSON of Kentucky. Does not the gentleman know they are collecting a very large amount?

Mr. HUMPHREYS. I really have no information on that particular point. I do know that the hydraulic mining that was authorized by the Congress up there in the mountains worked great destruction to the streams of California and not only interfered with navigation but caused great floods in the Sacramento Valley, and this commission was set to work many years ago to work out a scheme by which that could be prevented, and they have been doing the work well and efficiently, and it would be a great misfortune, indeed, now to abolish it.

Mr. CALDWELL. Will the gentleman yield?

Mr. HUMPHREYS. I will.

Mr. CALDWELL. Does not the gentleman think it is very unwise for the Congress to create commissions with a revolving fund and then pay any deficit which occurs? Why would it not be better for us to say, "All the money you get in you turn into the Treasury, and all the money you need, if we think you need it, we will appropriate."

Mr. HUMPHREYS. I do not care to express an opinion on that, but I do say it was a very wise act of Congress that created the California Débris Commission, and that their work has amply justified their appointment and all the money that has ever been expended.

Mr. CALDWELL. The gentleman has been a Member of this House for a long time and been a very able Member—

Mr. HUMPHREYS. I admit that.

Mr. CALDWELL. Does not the gentleman realize that the method that is being pursued is one that will tend to create extravagances and not economy?

Mr. HUMPHREYS. No; I think the whole tendency of the California Débris Commission has been to save expenses. I think it is a very economical commission. I think it has been administered economically and efficiently and that the work that they have done has redounded greatly to the benefit of California and to the general welfare.

Mr. CALDWELL. Does the gentleman know how many employees they have and what their overhead expenses are, and anything of that kind?

Mr. HUMPHREYS. I do not.

Mr. CALDWELL. Do they report to the Congress?

Mr. HUMPHREYS. They have not many, for they only get \$15,000.

Mr. CALDWELL. Do they report to the Congress all their overhead expenses and number of employees?

Mr. HUMPHREYS. They make a very full report to the Chief of Engineers; yes.

Mr. OSBORNE. Mr. Chairman, if the gentleman from Mississippi will permit, what he said is very true. But the inquiry of the gentleman from Kentucky [Mr. JOHNSON] would indicate that there was a great deal of money collected in the way of fees. The fact of the matter is that hydraulic mining in the State of California is practically dead. There is very little hydraulic mining in progress in the State of California, the debris of which goes into the navigable streams. There is a little work on the Trinity and some rivers that are nonnavigable, but very little on the streams that are navigable.

Mr. JOHNSON of Kentucky. Will the gentleman please state, then, the necessity for the continuation of this commission?

Mr. OSBORNE. I am not informed as to the details but I am merely referring to things of which I have knowledge. As to these details I do not know.

Mr. JOHNSON of Kentucky. If the gentleman from California is correct that the purpose for which this commission was created has ceased, why, then, assuredly this appropriation should stop.

Mr. OSBORNE. I would reply that that is only one purpose. Everything connected with the navigability of streams, as, for instance, silt coming down either by hydraulic mining or by natural processes of erosion, which are very strong from those steep California mountains. There are great quantities of silt which come down into the Sacramento and the other rivers there that has to be attended to by this commission.

Mr. GOOD. I will say to the gentleman that while the commission does have receipts they receive from mine operators in a sum equivalent to 3 per cent of the gross output, that is all expended in removing this silt and debris from the streams and with regard to the dams, but this appropriation is simply to pay salaries of the officers of the commission.

Mr. JOHNSON of Kentucky. That is what I supposed.

Mr. GOOD. We have always appropriated for the salaries of officers out of the Treasury even though they had additional funds.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Kentucky to strike out the paragraph.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

MEDICAL DEPARTMENT.

Artificial limbs: For furnishing artificial limbs and apparatus, or commutation therefor, and necessary transportation, \$150,000: *Provided*, That the Surgeon General of the Army is authorized to pay not exceeding \$125 for each artificial limb or apparatus for resection furnished in kind hereafter under the provisions of section 4787, Revised Statutes, as amended.

Mr. WATSON. Mr. Chairman, I notice this paragraph carries \$150,000 for artificial limbs. Was there any testimony before the committee to indicate how many soldiers have made application for artificial limbs?

Mr. GOOD. This has nothing to do with the soldiers of this war; this has to do only with the soldiers of the Civil War and the Spanish-American War.

Mr. WATSON. I desire to know the number of soldiers of the Civil and Spanish-American Wars who have made applications. Have the hearings developed this question?

Mr. GOOD. This is the third year, and every third year we have a larger appropriation, because under the law the limbs are to be furnished, or commutation for the limbs. If the artificial limb is not furnished then, as I recall it, if the soldier has lost a leg he is entitled to \$70 in cash, or if he lost an arm he is entitled to \$50 in cash. Now, the total number of cases of limbs furnished—

Mr. CALDWELL. What page?

Mr. GOOD. Page 1034. Legs, 48; arms and hands, 1; total, 49. But the commutation cases amounted to 2,902. Practically all persons who are entitled to relief under the provisions of the present law take the money instead of the limbs. For the next year they anticipate that there will be furnished, in kind, artificial limbs, 45, and commuted cases, 2,610, or a total of 2,655.

Mr. WATSON. Why do they make application so long after the war?

Mr. GOOD. They are entitled to it.

Mr. WATSON. Have the natural limbs been amputated?

Mr. GOOD. No. The life of a limb is fixed at about three years, and where the soldier or sailor has lost a limb he is entitled either to a limb or commutation for the limb.

Mr. WATSON. If a soldier had lost an arm and obtains an artificial one, is he permitted to be benefited under vocational training?

Mr. GOOD. This has to do with the soldiers of the Civil War?

Mr. WATSON. Quite true. My inquiry is, Are the soldiers of the Spanish-American War benefited by the various vocational acts?

Mr. GOOD. No. It has only to do with the soldiers of this war.

Mr. WATSON. I withdraw the pro forma amendment.

Mr. HICKS. Will the gentleman yield for just a moment? Is not this amount considerably larger than the amount carried in the last year's bill?

Mr. GOOD. Yes; because it is a third year. It is only \$50,000 for the current year, and it was explained to the committee that they could not reasonably expect to get along for much less than \$150,000 for this year, which is the third year, and every three years the appropriation is about \$100,000 more than the ordinary appropriation.

Mr. CALDWELL. Mr. Chairman, I offer an amendment to strike out, beginning with the word "Provided," in line 4, the balance of line 4, and all of lines 5, 6, 7, and 8.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CALDWELL: Page 67, line 4, after the colon, strike out all the balance of line 4 and all of lines 5, 6, 7, and 8.

Mr. CALDWELL. Mr. Chairman, I had occasion not long ago to visit one of the great hospitals where the soldiers are now being treated and prepared with artificial limbs. I saw the limbs that were being furnished by the Government, and I noticed that the legs furnished were of two characters, one cheap and one expensive, and the boys who were required to wear these legs all bitterly complained of the cheaper leg. It was not as comfortable, it was not as serviceable, and yet it was necessary, under the appropriation that we had at that time, in order that the men might be given something, to furnish a certain percentage of those cheaper legs. I also have had occasion to talk with one of the Marine Corps who was in the great battle at Belleau Wood, and whose hand was shot off just above the wrist in such a way that the muscles that were in the nub end of his wrist were controllable by him. In other words, by thinking he was going to move his finger he could move certain of the muscles in the arm. He was at Walter Reed Hospital, and was discharged from there, and they gave him an artificial hand. He could bend one or two of the fingers or the thumb by touching them. It was a crude thing, upon which he slipped a glove of the same kind he was wearing on his left hand, and when he walked down the street one would not notice that he was a cripple. In that respect it was of some service to him. It held his sleeve in place. But that young man had purchased from his own funds a hand that the Government did not furnish him and could not furnish him, because it did not have the authorization, that when fitted upon his arm and covered with a glove was so nearly perfect that one had to examine it to see that it was not a real hand. And by the operation of his muscles that were still good in the nub of his arm that was left, he could use that artificial hand with such skill that he could pick up a dime off the table, he could write with it, and do nearly all of the things that in his walk of life he was called upon to perform in order to earn his daily bread.

Now, I do not think that this Congress is justified in limiting the single appropriation for the single artificial limb to \$125, because in those days before the prices had increased this artificial hand cost that young man, out of his own pocket, \$125. To-day the price is probably \$250. And wherever you find a man whose muscles are in such condition that that kind of a hand would make him a new one, it is only fair the department should be authorized to expend the other few little dollars, in order that that man might go through life taking care of himself with that degree of comfort that those few dollars would give, and which he will be deprived of if you limit this amount to \$125. Therefore, I very seriously urge—

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CALDWELL. I ask unanimous consent for one more minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CALDWELL. I very seriously urge in behalf of those men whose limbs are still in condition where they can benefit by these wonderful pieces of mechanism that this proviso be stricken from the bill in order that the department may have authority to buy those limbs for those men.

Mr. GOOD. Mr. Chairman, the gentleman talks one way, but his amendment would do just exactly the opposite thing from what he is asking to be done. Under section 4787 of the Revised Statutes the Surgeon General is permitted to buy limbs out of this appropriation and to pay not to exceed \$75 for a leg and \$50 for an arm.

Mr. CALDWELL. Will the gentleman yield just a minute?

Mr. GOOD. In just a moment. The War Department brought before the committee the fact that the war-risk patients who have lost either an arm or a leg in this war have made such a drain upon the manufacturers of artificial limbs that they are unable under the present law to provide limbs for the soldiers of the Civil War and the Spanish-American War, and therefore they ask the authority that they be permitted to spend as much as \$125 for an artificial limb, notwithstanding the provisions contained in section 4787 of the Revised Statutes. It was the request of the Surgeon General. It seemed to us like a large increase, but we felt that we should not refuse it in this small number of cases, only about 50 a year, who are asking for the limbs. But the Surgeon General told the committee if this provision was given those who demanded the commutation or cash instead of the limb would still receive only \$50 in the case of an arm and \$75 in the case of a leg. But where a man wanted an artificial leg, if the War Department had to pay \$125 for it, it should be permitted to buy it and furnish the leg to that man. That was the reason for the amendment.

Mr. CALDWELL. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. CALDWELL. I am very much obliged to the gentleman for calling my attention to the wording of the statute. The idea I wanted to reach was to get a sufficient sum of money so that these high-class and well-constructed and wonderfully constructed artificial limbs could be purchased in cases where the nub left was of such a character that they could use them.

Mr. GOOD. If the gentleman's amendment prevails, then they could not pay more than \$75 for one of these limbs.

Mr. CALDWELL. I ask unanimous consent, therefore, Mr. Chairman, to modify my amendment. Instead of striking out from "Provided" down to the end of the section, strike out the figures "\$125" and make it "\$250."

The CHAIRMAN. The gentleman from New York asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. CALDWELL. I offer a modified amendment.

The CHAIRMAN. The gentleman offers a modified amendment. The Clerk will report the modified amendment.

The Clerk read as follows:

Amendment offered by Mr. CALDWELL: On page 67, line 5, strike out "\$125" and insert in lieu thereof "\$250."

Mr. CALDWELL. Now, Mr. Chairman, I would like to say something. I thank the chairman of the committee for calling my attention to the wording of the old statute. But what I have in mind is that I want to make it possible that in those few cases where the nub of the natural limb left is of such character that these specially constructed artificial limbs can be operated, the department in those cases, where a man asks for that kind of limb, shall be authorized and permitted to buy that kind of a limb for the man.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the Chairman announced that the yeas appeared to have it.

Mr. CALDWELL. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from New York asks for a division.

The committee divided; and there were—ayes 1, noes 30.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. RUBEN. Mr. Chairman, it seems to me that inasmuch as there are only 31 Members present, apparently, we ought to have a quorum.

Mr. GOOD. All the gentlemen on that side did not rise. I hope the gentleman will not do that. This is Saturday, and we want to make progress.

Mr. RUBEN. Yesterday you were very anxious to have a quorum.

Mr. GOOD. No. The gentleman from Iowa has not made the point of no quorum at all.

Mr. RUBEN. But the gentleman from Illinois [Mr. MADDEN], a member of the steering committee, did make a point of order that there was no quorum yesterday.

Mr. CANNON. Oh, that is a last year's bird's nest. [Laughter.]

Mr. RUBEY. Well, in view of the remark of the gentleman from Illinois, I will withdraw my point of order. [Laughter.]

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

Central Branch, Dayton, Ohio: Current expenses: For pay of officers and noncommissioned officers of the home, with such exceptions as are hereinafter noted, and their clerks, weighmasters, and orderlies; chaplains, religious instruction, and entertainment for the members of the home, printers, bookbinders, librarians, musicians, telegraph and telephone operators, guards, janitors, watchmen, fire company, and property and materials purchased for their use, including repairs not done by the home; articles of amusement, library books, magazines, papers, pictures, and musical instruments, and repairs not done by the home; stationery, advertising, legal advice, payments due heirs of deceased members: *Provided*, That all receipts on account of the effects of deceased members during the fiscal year shall also be available for such payments; and for such other expenditures as can not properly be included under other heads of expenditures, \$62,000.

Mr. JOHNSON of Mississippi. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Mississippi moves to strike out the last word.

Mr. JOHNSON of Mississippi. Mr. Chairman, I do so for the purpose of asking the chairman some questions. I notice that, on page 67, line 24 of the paragraph under consideration, you ask for an appropriation for "religious instruction." I want to ask the chairman what the necessity for that is? I have read the hearings, and I find nothing that will justify this appropriation.

Mr. GOOD. I will say to the gentleman that the attention of the chairman of the committee was not attracted to those words, and I do not believe the attention of the committee as a whole was. It is just the language that has been carried for all of the homes.

Mr. JOHNSON of Mississippi. I have brought it to the attention of several gentlemen, and every one of them has said it is probably an oversight. We already have chaplains.

Mr. GOOD. I am advised that those words have been there for a great many years—ever since appropriations were carried for the homes. Of course, we carry an appropriation for the chaplains, and I suppose there are certain expenses connected with the service.

Mr. JOHNSON of Mississippi. Now we have chaplains included. Would the chairman object to striking out the words "religious instruction"? I do not think an appropriation should be made for the promotion of any particular religion in this country.

Mr. GOOD. The term "religious instruction" can cover an illustrated lecture, or something of that kind, for the instruction or entertainment of the soldiers. If the gentleman can point to a single abuse that has come from carrying these words in the bill, I would not object to an amendment to correct it. But I do not think such abuses could exist.

Mr. JOHNSON of Mississippi. Would the gentleman object to "religious exercises" instead of "religious instruction"? I do not think any particular creed should be promulgated.

Mr. GOOD. And I do not think there is.

Mr. CANNON. If the gentleman will allow me, in practice there are two chaplains ordinarily in each of the homes, and I have some knowledge about it, because one of the homes is near by where I live. There is generally a place of worship for the Catholic Church, and then a place for the Protestant Church. These people are called and employed from private life. The salary is not great. There is a place of worship, one place for one set of people and another place for another set of people.

Mr. JOHNSON of Mississippi. I will say to the gentleman that I have no objection to that. I am in favor of that. But I am opposed to appropriating Government money for the purpose of teaching any particular kind of religion.

Mr. CANNON. Oh, well—

Mr. JOHNSON of Mississippi. That is what this says—"religious instruction."

Mr. CANNON. That is a very broad term, "for the purpose of teaching religion." Would the gentleman put it in for the purpose of teaching irreligion?

Mr. JOHNSON of Mississippi. I would not. I am in favor of religion.

Mr. CANNON. Undoubtedly here and there there might be a man in a home who did not believe in any religion.

Mr. JOHNSON of Mississippi. And you have chaplains there, and it is their duty to teach them without their using the people's money for the purpose of teaching any particular religion.

Mr. CANNON. How could a chaplain do anything if he did not teach religion?

Mr. JOHNSON of Mississippi. You have no right to appropriate money to teach any particular religion. You see the

comma after the word "chaplains" makes quite a difference when you come to read the law.

Mr. CANNON. I think the gentleman is overcritical. There has been no friction in the administration of this appropriation.

Mr. JOHNSON of Mississippi. That is what we want to get away from.

Mr. CANNON. There is no criticism. Once in awhile a Swedenborgian might say, "I want a chaplain." And once in awhile there might be a Baptist, a "hardshell" Baptist, or what they used to call a "forty-gallon Baptist" [laughter]—

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. JOHNSON of Mississippi. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. JOHNSON of Mississippi. I do not think we ought to appropriate money for the teaching of any particular religious instruction of any particular kind, whether Catholic or Protestant, or Mohammedan, or otherwise, at the expense of the Federal Treasury.

Mr. CANNON. Would the gentleman take all the various churches, the Methodist Church South and the Methodist Church North and the Christian Church and the Christian Scientist—would he put them all in and allow each to have a chaplain?

Mr. JOHNSON of Mississippi. Yes; every one that wants to.

Mr. CANNON. Then if there was only one member of the home at Dayton, which is the largest of all the homes, that wanted a Christian Scientist chaplain, or a Swedenborgian, we would build a chapel for the chaplain of that denomination and the one member?

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Mississippi. Yes.

Mr. HUDSPETH. What is a Swedenborgian?

Mr. CANNON. Oh, the gentleman is not contemporary with Swedenborg, but it is a very extensive church, scattered over the world. If the gentleman will read the Divine Love and Wisdom, he will find it is a very taking and plausible presentation by Swedenborg.

Mr. JOHNSON of Mississippi. Oh, I do not yield further for that kind of a lecture. [Laughter.] Would the gentleman be willing to strike out the word "instruction" and say "exercises"?

Mr. GOOD. Let me say this to the gentleman: The gentleman from New York, Mr. Fitzgerald, one of the very ablest chairmen the Committee on Appropriations ever had, was affiliated with the Catholic Church, and the gentleman from Kentucky, Mr. Sherley, another very able chairman, was a member of the Protestant Church. They both carried this same language in the bills reported when they were chairmen of the committee, and I will say to the gentleman that I never heard a thing raised against it, or any suggestion that there was any abuse. I do not think it makes any difference whether you have the word "instruction" or the word "exercises." To me it makes no difference. I only call the attention of the gentleman to this. I think it is a bad policy to change the language in an appropriation bill unless we find some substantial reason for it. Now, if there were an abuse anywhere I would be very glad to agree to some change or elimination if necessary.

Mr. TILSON. Would not the word "exercises" be particularly objectionable? That is just the thing that the gentleman is trying to prevent.

Mr. JOHNSON of Mississippi. No.

Mr. TILSON. Whereas instruction might be by literature, by pictures, by lectures, or by any other means; but if you limit it to exercises, it might be considered the exercises of some particular church.

Mr. JOHNSON of Mississippi. No; not at all. I withdraw the pro forma amendment, Mr. Chairman.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Subsistence: For pay of commissary sergeants, commissary clerks, porters, laborers, bakers, cooks, dishwashers, waiters, and others employed in the subsistence department; food supplies, except articles of special diet for the sick, purchased for the subsistence of the members of the home and civilian employees regularly employed and residing at the branch, their freight, preparation, and serving; aprons, caps, and jackets for kitchen and dining-room employees; tobacco; dining-room and kitchen furniture and utensils, bakers' and butchers' tools and appliances, and their repair not done by the home, \$325,000.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I should like to ask the gentleman a question with reference to the item of tobacco in line 21, page 68. That

tobacco is for the old soldiers and not for the enlisted men, is it not?

Mr. GOOD. We carry a provision here which is for the benefit of the soldiers of all wars—anybody in the homes.

Mr. CALDWELL. The gentleman does not quite get my question. Is the subsistence provided in this section subsistence for the inmates of the homes, or is it for the employees of the homes?

Mr. GOOD. The subsistence is for both the employees and the inmates. They have to furnish subsistence to the men who work on the farms of the homes.

Mr. CANNON. Who are soldiers.

Mr. GOOD. Many of them are soldiers, who are employed.

Mr. CALDWELL. If they are soldiers enlisted in the Regular Army, are they not carried in the Regular Army appropriation bill?

Mr. GOOD. If they are still in the Regular Army they go to the Soldiers' Home here at Washington, and this does not carry an appropriation for them.

Mr. CALDWELL. But I mean the commissary sergeants. The commissary sergeant is an employee of the home. He is not in the home as an indigent, or one being cared for there. He is there to help care for the indigent. Does this subsistence go to him?

Mr. GOOD. That is not a military rank. He is an officer of the home, and this does not go to him.

Mr. CALDWELL. Are there any men in the Regular Army drawing their pay, who have the status of enlisted men or officers in the Army, assigned to this home?

Mr. GOOD. No.

Mr. CALDWELL. The commissary sergeant mentioned in line 13 is not a commissary sergeant as we understand him when we speak of the Regular Army, but only a man assigned to commissary duty in the home, and not a part of the Army?

Mr. GOOD. That is correct. He is employed in the home.

Mr. CALDWELL. How much tobacco is given per day per man?

Mr. GOOD. They have a regular ration, as I recall the testimony.

Mr. CALDWELL. Is the tobacco issued to the employees of the home in the same quantity that it is issued to the inmates of the home?

Mr. GOOD. The employees who are not members of the home must purchase their own supplies. They are not furnished free tobacco and things of that kind. Only the members of the home receive those things.

Mr. CALDWELL. That is what I wanted to know.

The Clerk read as follows:

For hospital, including the same objects specified under this head for the central branch, \$47,000.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the word "hospital," in line 14, page 71, may be correctly spelled.

The CHAIRMAN. Without objection, the spelling of the word "hospital" will be corrected.

There was no objection.

The Clerk read as follows:

For subsistence, including the same objects specified under this head for the central branch, \$60,000, together with not exceeding \$150,000 for the unexpended balance of the appropriation for this purpose for the fiscal year 1920.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the committee a question. In the preceding paragraph you authorize the transfer of the material not needed at the Hampton Hospital. Are they going to close up the hospital there?

Mr. GOOD. No; that hospital was taken over by the War Department during the war, as the gentleman knows.

Mr. CALDWELL. Yes.

Mr. GOOD. It was operated as an Army hospital. The Army has turned that hospital back to the Board of Managers of the Soldiers' Home. It is a part of their property, one of the branches that was operated for a number of years, and is the Southern Branch. When the Army took it over they threw out a great deal of the hospital supplies and equipment and installed their own hospital supplies. If we do not permit them to leave what they have installed, so that it may be used by the board of managers, it will be necessary to carry a large appropriation to buy new materials for supplies for the hospital service.

The Clerk read as follows:

For hospital, including the same objects specified under this head for the Central Branch, \$85,000.

Mr. OSBORNE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. OSBORNE: Page 74, insert after line 12 a separate paragraph as follows:
"For the construction of a new sanitary fireproof hospital on the grounds of the Pacific Branch, \$500,000."

Mr. GOOD. I make the point of order that the amendment is not germane.

Mr. CANNON. Not authorized by law.

Mr. OSBORNE. Will the gentleman withhold his point of order?

Mr. GOOD. I reserve the point of order.

Mr. OSBORNE. I have introduced a bill in the House in this Congress, and in the previous Congress, making an appropriation for this hospital. At the Pacific Branch of the Soldiers' Home there are 3,500 members, of whom 2,500 are at the home all the time. The hospital building is a frame building constructed about 30 years ago, very much out of date, and there is very great need for a new hospital there. There are soldiers there not only from the Civil War but the Spanish War and the World War in that home now. Even though it may be inconvenient to build the hospital now it will have to be built in a very short time. It ought to be done now.

Mr. GOOD. Mr. Chairman, I think there is a good deal in what the gentleman says about the need for additional accommodation for the service in view of what we are doing. I think we will have to build two more branches of the soldiers' home. There perhaps ought to be two branches in the South—one to take care of the colored soldiers and the other the white soldiers. There will have to be something of that kind done perhaps in the near future, especially when conditions for construction become a little more favorable; but for the present the committee felt that it could not engage in this building program. To engage in it at one place would mean that we must follow it in other places. However, there is a provision here that we have passed over as to the allotment of \$46,000,000 appropriated to the Bureau of War Risk whereby this appropriation may be allotted to the soldiers' homes and can be used to make alterations and repairs where absolutely necessary to provide hospital facilities for the soldiers.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. GREEN of Iowa. I do not understand whom these homes are used by. Here is one for the volunteer soldiers. Are those soldiers of the late war?

Mr. GOOD. They are admitting soldiers of all wars into these homes. There are 10 branches. Under the present law the person to be admitted to a home must be indigent, but we are removing that stigma under this bill so as to permit the soldiers of this war, or any other war, who need hospital treatment or the care of the home to go and receive that treatment or care.

Mr. GREEN of Iowa. Before the last war broke out the homes were nowhere near full.

Mr. GOOD. They are not now. There are nearly 10,000 vacant beds in the homes.

Mr. OSBORNE. The Western Branch Home is always full.

Mr. GOOD. No; there was a decrease last year from 1918 of 293, but not anything like the decrease in the other homes.

Mr. JOHNSON of Mississippi. Mr. Chairman, I would like to ask the gentleman from Iowa if there is any provision made for taking care of the colored soldiers as far as hospital treatment is concerned? I want to call the gentleman's attention to the fact that I have had a number of letters from my district from colored men writing me that they were suffering from tuberculosis; that they had reported the matter to the department, but they had not done anything for them; and that unless something was done immediately it would be too late. I know a number of negroes living in my district who are in need of treatment and something ought to be done to take care of them. They went to the war, did their duty, and they, as well as their parents, are constantly writing me to know if something can not be done for them.

Mr. GOOD. I think there is this to be said about the negro: He feels that the Government has recognized the Indian, made provision for him and for the white race, but does not make a special provision for the colored race. They feel that they would be better satisfied if they had a home that was their home, peculiarly their home, and I am somewhat in sympathy with that view, but I think that, so far as the War Risk is concerned, as far as the Public Health Service is concerned, they have made no discrimination on account of color.

Mr. JOHNSON of Mississippi. I am in favor of discrimination so far as segregation is concerned.

Mr. GOOD. I did not mean segregation; I meant in regard to the treatment that each has been accorded, the treatment which he deserved, irrespective of color.

Mr. CANNON. Will the gentleman yield?

Mr. JOHNSON of Mississippi. Yes.

Mr. CANNON. The negro is admitted to the soldiers' homes now?

Mr. GOOD. Oh, yes; there is no discrimination.

Mr. JOHNSON of Mississippi. He is taken care of there.

Mr. WELLING. Mr. Chairman, I would like to ask the gentleman from Iowa a question. I notice in the Santa Monica item and other similar items there are seven distinct items aggregating \$16,500, all in large sums and all in round numbers. How does it come out that the items appropriated last year were all used up to the last cent? Who audits these various accounts and who furnishes them to Congress and to the committee?

Mr. GOOD. The items are not all used up to the last cent.

Mr. WELLING. It seems so from the paragraph we are considering relating to Santa Monica.

Mr. GOOD. The unexpended balances go back into the Treasury. I suppose the gentleman has been making comparison with the Hampton Branch or the Southern Branch. The reason for the reappropriation of unexpended balances in that paragraph is that the Congress appropriated the money on the theory that the War Department would turn back the home. The War Department did not do it until a month or two ago, and therefore these large unexpended balances are reappropriated. At the other places all the unexpended balances are covered back into the Treasury.

Mr. WELLING. Can the gentleman say how much of this \$16,500 was covered back into the Treasury, approximately?

Mr. GOOD. No, I can not. In going over the various items we took up each item, found out how much they expended during the last year, how they were getting along with the current appropriation, and in determining the amount that we would recommend for the next year we were guided entirely by their expenditures of not only the last year but the current rate for the present year.

Mr. WELLING. Does it ever occur that the homes exceed the amount appropriated?

Mr. GOOD. Yes; and they come for a deficiency in that case. There will be some deficiencies this year. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. The Chair sustains the point of order and the Clerk will read.

The Clerk read as follows:

Clothing for all branches: For clothing, underclothing, hats, caps, boots, shoes, socks, and overalls; labor, materials, machines, tools, and appliances employed, and for use in the tailor shops, knitting shops, and shoe shops, or other home shops in which any kind of clothing is made or repaired, \$275,000.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee if any of the clothing that is surplus on hand in the War Department can be sold to supply the needs of this department? They have on hand quite a good bit of surplus clothing, not necessarily outer clothing, but underclothing and shoes and things of that character.

Mr. GOOD. Mr. Chairman, of course they can purchase it, and I am not sure but what it would be their duty to purchase it. As far as the clothing is concerned I assume that they would purchase it, but a great deal of the clothing is made right in the homes.

Mr. McKEOWN. I so understand.

Mr. GOOD. In most of the homes they have factories for making clothing. In fact, these homes are model governmental institutions. The food they serve is not only wholesome but splendid, palatable food. Then, too, they have their own factories and they have their own laundries. The expense of laundering the clothing and doing the laundry work at the homes last year averaged about one-half of 1 cent per piece. The average cost per man per day in the homes last year was about 97 cents. Notwithstanding this, they have greenhouses and if a soldier becomes ill and goes to the hospital flowers from the greenhouses are taken over every day to place in his room. The very best care imaginable is taken of the members of the homes. The homes are run in a way so that when a member wants to work he goes out to work on the farm or in the machine shop or the carpenter shop or does repair work and is paid something for it. The homes are model institutions, and are carried on like a well-conducted Government institution of this kind should be conducted.

Mr. McKEOWN. I thank the gentleman for the information, but it appears to me that if there were large stocks of underclothing that would be suitable on hand in the War Department they ought to be purchased by these homes.

Mr. GOOD. I am sure that the board of managers are taking advantage of those very conditions in buying that sort of thing.

Mr. CALDWELL. Mr. Chairman, if the gentleman will permit, I will say to the gentleman that when we demobilized the

Army we passed a bill directing the Secretary of War to supply each soldier who was discharged with a full equipment, and that practically wiped out the major articles of clothing which we had, which would ordinarily have been surplus, and it was necessary in the last appropriation act to begin to buy shoes again.

The Clerk read as follows:

The following persons shall be entitled to the benefits of the National Home for Disabled Volunteer Soldiers, and may be admitted thereto upon the order of a member of the board of managers, namely: Honorably discharged officers, soldiers, sailors, and marines who served in the Regular, Volunteer, or other forces of the United States in any war in which the country has been engaged, in campaigns against hostile Indians, or who served in any of the extra-territorial possessions of the United States, in foreign countries, including Mexican border service, or in the Organized Militia or National Guard when called into the Federal service, and who are disabled by diseases or wounds and by reason of such disability are either temporarily or permanently incapacitated from earning a living.

Mr. MANN of Illinois. Mr. Chairman, I reserve the point of order on the paragraph. Are soldiers who served in the Regular Army now admitted to the soldiers' homes outside of the Soldiers' Home here in Washington?

Mr. GOOD. That is my understanding.

Mr. CANNON. Yes.

Mr. MANN of Illinois. There is a soldiers' home maintained here for the benefit of the ex-soldiers of the Regular Army.

Mr. GOOD. Yes; altogether different from these.

Mr. MANN of Illinois. I did not know whether they were admitted to the ordinary soldiers' homes now or not. I have been under the impression that they are not.

Mr. GOOD. They are.

Mr. MANN of Illinois. Then what does this amount to, if they are already admitted?

Mr. GOOD. Mr. Chairman, I suppose my answer should be made with some limitation. The soldier in order to be admitted must have served in some war. If the soldier was in the Regular Army and served in the Regular Army, without having served in any war, I doubt whether, strictly construing the law, he would be admitted to the home; but the board of managers have been very liberal in the construction of the law with regard to the admission to soldiers' homes. Some question arose as to whether or not the soldiers of the late war were to be admitted. They had the beds—particularly so at the Mountain Branch in Tennessee, where we have a tubercular home—and a great many of the young men who were discharged soldiers of the late war, afflicted with tuberculosis, were admitted there without question. They did not require a strict construction of law with regard to their showing that they had no money.

Mr. MANN of Illinois. This provision, I take it, is not intended to affect in any way the status of the soldiers' home in Washington?

Mr. GOOD. Not at all. Some of the soldiers of this war will not go into the soldiers' homes because they are asked whether they have any property, whether they can take care of themselves. Under the law, strictly construed, a person can not be admitted to any of these 10 branches unless he is indigent. The committee thought that provision should be removed, inasmuch as we propose to provide hospitalization to about 8,000 or 10,000 of these soldiers in these homes where there are vacant beds.

Mr. MANN of Illinois. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. Gen. (formerly major of Cavalry) Jesse McL. Carter, United States Army, the sum of \$352.23 disallowed against him on the books of the Treasury.

Mr. GOOD. Mr. Chairman, I move to strike out the paragraph. That item has been taken care of by Senate bill 2448, and there is no need of carrying it here.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 88, strike out the paragraph beginning in line 7 and ending with line 11.

Mr. McKEOWN. Mr. Chairman, has that been finally taken care of in the bill that went through the House? There was a bill in the House and then I saw something about striking it out in the conference report.

Mr. GOOD. It was left in the conference report approved May 5.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

The Clerk read as follows:

Reproducing plats of surveys: To enable the Commissioner of the General Land Office to continue to reproduce worn and defaced official plats of surveys on file, and other plats constituting a part of the records of said office, to furnish local land offices with the same, and for reproducing by photolithography original plats of surveys prepared

in the offices of surveyors general, \$5,000: *Provided*, That hereafter photolithographic copies of township plats shall be sold to the public at 50 cents each.

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record by printing therein this schedule to which I referred earlier in the day.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the Record in the manner indicated.

Mr. GOOD. Mr. Chairman, I will say to the gentleman that if he will withhold that request until we get ready to rise—

Mr. CALDWELL. I am constrained to say that there ought to be enough men in this House to at least listen to the reading of this bill, and I make the point of order that there is no quorum present.

Mr. MANN of Illinois. Mr. Chairman, I suggest to the gentleman from New York that the gentleman from Iowa did not object.

Mr. CALDWELL. Oh, yes; he did.

Mr. GOOD. I just asked the gentleman to withhold his request until we get ready to rise, then I would have no objection to his putting it in.

Mr. CALDWELL. If the gentleman has no objection now, I will withdraw my point of order; otherwise I must insist upon it. I ask unanimous consent to extend my remarks in the Record by inserting therein this schedule.

The CHAIRMAN. Does the gentleman withdraw his point of order?

Mr. CALDWELL. For the present I do.

The CHAIRMAN. Is there objection?

Mr. MADDEN. Mr. Chairman, I object.

Mr. CALDWELL. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-one gentlemen are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Doevan	Kennedy, R. I.	Rose
Ayres	Doelling	Kettner	Rowan
Bacharach	Doremus	Kiess	Rowe
Bankhead	Drane	Kitchin	Sabath
Benson	Dyer	Kreider	Sanders, Ind.
Blackmon	Edmonds	Lankford	Schall
Bland, Ind.	Ellsworth	Lazaro	Scott
Bowers	Elston	Lee, Ga.	Scully
Brand	Emerson	Leshner	Sears
Brinson	Ferris	Loneragan	Sherwood
Britten	Fields	Longworth	Shreve
Brooks, Pa.	Gard	McAndrews	Siegel
Brumbaugh	Garrett	McCulloch	Small
Burke	Godwin	McFadden	Smith, Ill.
Burroughs	Goldfogle	McKinley	Smith, N. Y.
Butler	Gould	McLaughlin, Mich.	Snell
Byrnes, S. C.	Graham, Pa.	McPherson	Snyder
Campbell, Kans.	Greene, Mass.	Maher	Steagall
Cantrill	Griest	Mann, S. C.	Steele
Caraway	Hamill	Mansfield	Stephens, Miss.
Carew	Hamilton	Mason	Stephens, Ohio
Carrs	Harrison	Mooney	Strong, Pa.
Carter	Hastings	Morin	Sullivan
Casey	Hayden	Neely	Summers, Wash.
Clark, Fla.	Hedlin	Nelson, Wis.	Tague
Clark, Mo.	Hernandez	Nolan	Temple
Cleary	Hill	O'Connell	Tillman
Cooper	Hoey	O'Connor	Tinkham
Copley	Howard	Pell	Towner
Costello	Huddleston	Platt	Upshaw
Crago	Hullings	Porter	Vare
Cramton	Hull, Tenn.	Pou	Voigt
Crisp	Humphreys	Radeliffe	Walters
Cullen	Husted	Ramsey	Ward
Curry, Calif.	Hutchinson	Reavis	Wason
Dale	Johnson, S. Dak.	Robert	Wheeler
Darrow	Johnston, N. Y.	Reed, W. Va.	Williams
Dempsey	Jones, Pa.	Riddick	Wise
Denison	Kelly, Pa.	Riordan	Wright
Dent	Kendall	Robinson, N. C.	
Dewalt	Kennedy, Iowa	Rodenberg	

The committee rose; and the Speaker having resumed the chair, Mr. ANDERSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the bill H. R. 13870, the sundry civil bill, finding itself without a quorum, under the rule, he caused the roll to be called, whereupon 265 Members answered to their names, a quorum, and he presented the list of absentees to be entered upon the Journal.

The SPEAKER. The committee will resume its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For geological surveys in the various portions of the United States, \$352,000.

Mr. PARRISH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question about the item of \$352,000 appearing in line 8, page 89. Can the

chairman tell us from the hearings or other information just where it is intended these geological surveys will be made?

Mr. GOOD. This work is being done in several portions of the United States, I will not say in all portions, but a great deal has been done down in the gentleman's State.

Mr. PARRISH. The reason I ask the question is that 7 out of the 12 counties I represent have demonstrated that they have great quantities of oil in the counties, and when oil is discovered in a territory the real value of the geological surveys are then fully appreciated, because when they have oil in a territory surveys are very helpful in determining where it is best to drill. I called some time ago on the head of this department and he said that they had no money with which to make geological surveys of the counties of my district, and I was wondering if this appropriation would enable them to do any work at all in my district.

Mr. GOOD. It would be possible for the director to spend it all in the gentleman's district. He can spend the money wherever he pleases, and I will say to the gentleman that in explaining the matter the director stated because of oil activities it was desired to spend a good deal of this money in these oil-bearing territories.

Mr. PARRISH. I will say to the gentleman we do not want it all. [Laughter.] But we would like to have some of it, enough at least to enable us to get the benefit of the experience and training of this department. As I understand it the geological surveys made in parts of the country that have not been proven for oil are of very little value, but when you do find oil and make surveys in that region it is very helpful to determine where it is best to drill and to prevent the making of wasteful and useless tests.

Mr. GOOD. That is the object of the appropriation.

Mr. PARRISH. I hope they will spend some of it in my district.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For gauging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, \$180,000, of which \$25,000 may be used to test the existence of artesian and other underground water supplies suitable for irrigation in the arid and semiarid regions by boring wells.

Mr. OSBORNE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 89, line 23, insert a new paragraph, as follows:

"For locating and keeping clean water holes and drinking places on the deserts and for the construction and erection of metal signposts giving directions and distances to said water holes and drinking places, \$10,000."

Mr. GOOD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. BLANTON. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Iowa reserves the point of order and the gentleman from Texas makes it.

Mr. OSBORNE. Will the gentleman withhold his point of order in order to enable me to explain this matter?

Mr. BLANTON. I will withhold it.

Mr. OSBORNE. Mr. Chairman, an item of this kind was in the appropriation bill three or four years ago. The necessity for the work arises from the arid conditions on the desert on account of the great scarcity of the water and the danger to human life in traversing those deserts. The bones of men who have lost their lives for lack of this information are found in many places on the deserts of Wyoming, Nevada—

Mr. BLANTON. Will the gentleman yield?

Mr. OSBORNE. I will yield when I have stated my case—and the other States of the West, and a citizen of my own city, George W. Parsons, worked long seeking to impress upon the Congress and the country the necessity for these signposts, and any man familiar with the desert does not have to be told of the importance of this matter.

I have myself had considerable and strenuous experience in this way, and it is a very important thing. The amount of money called for is very small compared with the great usefulness of the appropriation, if it should be made. I would be very glad to see this committee make this very important appropriation of so small an amount for so great a purpose.

Mr. BLANTON. Will the gentleman now yield?

Mr. OSBORNE. I will.

Mr. BLANTON. Does not the gentleman think this is a matter for each one of those States to handle themselves and not a matter for the Congress?

Mr. OSBORNE. No; I will state to the gentleman the States do considerable—

Mr. BLANTON. It is along the highways of those States.

Mr. OSBORNE. There are no highways, my dear boy, this is the open desert, these are not highways.

Mr. BLANTON. It is time the gentleman was getting some highways out there.

Mr. OSBORNE. We have the greatest highways in California that were ever seen. But I am not talking of my own State—

Mr. BLANTON. We have what are called highways down in my State, where there is a wagon road running 50 or 60 miles through a ranch.

Mr. OSBORNE. I have ridden over your State. But this is a different proposition. If you have not been over these highways to which I have reference, you have an experience ahead of you. You may come to a place at night where you expect to get water, but when you arrive there you can not find any—

Mr. BLANTON. And we do not want any of these wet signs put up.

Mr. OSBORNE (continuing). And a man goes crazy and runs around tearing his hair and his clothes, and his bones are found on the sands a few months later.

Mr. BLANTON. I make the point of order that it is new legislation and not authorized by law.

The CHAIRMAN. The Chair thinks it is not authorized by law and therefore sustains the point of order.

Mr. OSBORNE. Will the Chair hear me a moment on the point of order before making it final?

The CHAIRMAN. The Chair is willing to hear the gentleman.

Mr. OSBORNE. I will not take up much time. It appears to me that all of these items are items that have been authorized by the general organization of the Geological Survey. This item is one in which I can see no great difference from any other of the expenditures of the Geological Survey, and it has already been carried in a previous bill, probably under the assumption that it was a part of the duties of the Geological Survey as defined by law.

The CHAIRMAN. The Chair does not think there is any law which authorizes the expenditure for the setting up of metal signposts to indicate the location of water holes on the desert. The Chair thinks that such an amendment is not germane to the general provisions authorizing appropriations in respect to the water resources of the country and therefore sustains the point of order. The Clerk will read.

The Clerk read as follows:

That part of section 1, chapter 3914, of the act approved June 30, 1906 (34 Stats., p. 727), relating to the furnishing of copies of maps by the Geological Survey, and that part of section 1, chapter 299, of the act of March 4, 1909 (35 Stats., p. 989), relating to the furnishing of copies of photographic slides, etc., are hereby amended to read:

"The Director of the Geological Survey may, if the regular work of the survey or the interests of the United States are in no wise interfered with or jeopardized thereby, hereafter furnish to any person, institution, State, or foreign Government, in the interest of education and the dissemination of knowledge, at a price to be fixed by the Director of the Geological Survey, at not less than actual cost, copies of photographs and lantern slides and transfers of copies of any cartographic or other engraved or lithographic data in the possession of the survey, engraved or lithographed plates and prints of cartographic data furnished, surveying instruments or field material required for surveys being executed or made under the auspices or supervision of or in cooperation with the Geological Survey, the money received by the director in payment therefor to be deposited in the United States Treasury to the credit of the appropriation of the Geological Survey current at the time the instruments or materials are furnished or at the time the work is performed."

Mr. MONDELL. Mr. Chairman, I make the point of order against the paragraph, beginning on line 4, page 90, down to and including line 5, page 91. I regret to make a point of order against the paragraph, which contains some provisions which I think are eminently proper and right, but the provision in the paragraph with regard to the use of the funds that are received from sales in carrying on the work of the bureau is very questionable, and I think the matter might well go over and be considered at some future time. Therefore I make the point of order.

The CHAIRMAN. The paragraph against which the gentleman makes the point of order is clearly new legislation and therefore subject to the point of order. Therefore the Chair sustains the point of order.

The Clerk read as follows:

For a survey of power production and distribution in the United States, including the study of methods for the further utilization of water power, and the special investigation of the possible economy of fuel, labor, and materials resulting from the use in the Boston-Washington industrial region of a comprehensive system for the generation and distribution of electricity to transportation lines and industries, and the preparation of reports thereon, \$125,000. The Secretary of the Interior is authorized to receive any sums which may be contributed for this purpose. Such sums shall be deposited in the Treasury and credited to the appropriation herein made and be available for expenditure for the purposes thereof.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. I want to know what is meant by this "Boston-Washington industrial region" in this paragraph. What is the purpose of it?

Mr. GOOD. The purpose is this: Both the Director of the Geological Survey and the Director of the Bureau of Mines pointed to an alarming condition with regard to the decrease of the known supply of oil in the United States. The Director of the Geological Survey stated that our supply of oil would be exhausted inside of 20 years. The Director of the Bureau of Mines, Dr. Manning, estimated that the entire supply for all practical purposes would be exhausted in 10 years. It was pointed out that by utilizing coal at the mouth of the mines at tidewater and by tying up the excess power produced by power plants into one superpower system a great deal of money could be saved. To illustrate the proposition, it was pointed out before the committee that when the New York, New Haven & Hartford road was electrified a saving was effected of about one-half of their coal on the same power produced. That is to say, that before electrification it took 8 pounds of coal to produce one horsepower, and after electrification, including the wastage or loss in transmission, it took only 4 pounds of coal. This item is to provide for a Government survey by this bureau and to ascertain whether or not some of this loss can be saved, especially in view of the fact if oil is to disappear in anything like the time that has been estimated by the Director of the Geological Survey or the Director of the Bureau of Mines some substitute must be found. More than that, it is estimated that in this territory, stretching from Washington up to Boston, where it is proposed to make the survey and study, there would be a saving every year of approximately \$30,000,000 in the fuel consumed.

Now, it was stated by engineers, as well as Government officials, who appeared before the committee, that while this matter might be done by having the industries themselves make the survey it would take several hundred millions of dollars to carry out the work after it is done, and that capital will not be attracted by a private survey that would be attracted if it was a Government survey, and had back of it the opinion of Government engineers.

Mr. McKEOWN. Mr. Chairman, this question comes up from the old idea that was brought out here during the war, for which a bill was introduced in this House and reported, in reference to converting power at the mouth of the mine and putting it into use during the war, emanating from England. The idea was that power could be produced at the mouth of the mine and transmitted at very much less expense to the business districts. But the area of England and the area of this country are much different, and, besides, it is merely a venture, carrying out a theory that Congress itself would not have carried out or undertaken except it came up here during the war.

Mr. GOOD. With modern plants they are transmitting now at a very small loss. For example, the power used by the street cars in St. Louis is carried down from Keokuk, Iowa, over wires.

Mr. McKEOWN. That is water power.

Mr. GOOD. The transmission is the same.

Mr. McKEOWN. This proposition here was promulgated during the war and for appropriating \$200,000,000 to create power plants to take the power out of the mine. It was to create power at the mine and conduct it out into these large manufacturing centers at the expense of the taxpayers of this country. That was promulgated and advocated and came from some of these commissions during the war and was introduced into this House by a bill which was reported here.

Mr. GOOD. I do not know anything about that. This involves the utilization of water power in that territory also, but that is a minor consideration.

Mr. McKEOWN. The water-power bill has already passed this Congress and private enterprise will take charge and make its arrangements with the Government. I do not think they ought to be permitted to spend \$125,000 of the people's money in making a mere preliminary survey.

Mr. MILLER. I move to strike out the last word for the purpose of asking a question. Under what law is this appropriation made?

Mr. GOOD. This is under the general authority of the powers of the Geological Survey, to make surveys of this kind.

Mr. MILLER. I mean the legislation.

Mr. GOOD. It is under the duties and powers conferred upon the Geological Survey.

Mr. MILLER. This is an industrial survey, is it not?

Mr. GOOD. No; it is more than that. It involves, in a sense, the work of the Bureau of Mines, as well as the work of the Geological Survey, and there was some question as to which one of those bureaus ought to do the work. The estimate was

for \$250,000, and the engineers, as well as the Government officials, thought if we should appropriate half of that and permit, as we have done here, contributions by private capital, at least \$250,000, which, it is estimated, will be the amount required, will be obtained for making the survey.

Mr. MILLER. Mr. Chairman, I make the point of order on the paragraph, commencing on line 11 and ending on line 33, on page 91, on the ground that it is not based on any existing law, there being no law for industrial surveys.

Mr. GOOD. The point of order comes too late.

The CHAIRMAN. There has been debate on the paragraph. No point of order was reserved. The gentleman from Oklahoma [Mr. McKEOWN] made a motion to strike out the last word. The Chair thinks the point of order comes too late.

Mr. McKEOWN. Then I move to amend by striking out the paragraph commencing on line 11 and ending with line 33 on page 91.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Amendment offered by Mr. McKEOWN: Page 91, strike out lines 11 to 23, inclusive.

Mr. McKEOWN. Mr. Chairman, the purpose of this amendment is to strike out this language, because it means the entering upon a new venture. The members of the committee will no doubt recollect that during the war a bill was introduced here and a great deal of newspaper propaganda was sent out over the country advocating the carrying of the power from the mouth of the mine to the industrial centers, and the proposition was to launch the United States Government upon that scheme during the war, because it was felt that the power for war industries was insufficient. The theory was that we did not have fuel and power sufficient to carry on and conduct the war. But fortunately the war ended and the armistice was signed before that bill came up for consideration before the Congress. But for that we would have launched into this business at the rate of \$200,000,000.

This is but a starting point anyway by which they are attempting to start that scheme again. I can conceive that in England, where there is a small area, comparatively, a proposition of that kind might be practicable, but here in the United States, if the industry can be made successful and profitable it will be put into effect; private parties will put their own money into it. If it is a losing proposition the United States Government has got no business to go into it. For that reason I am opposed to the provision in the bill, and for that reason I move to strike it out.

Mr. BYRNS of Tennessee. Mr. Chairman, I hope the motion of the gentleman from Oklahoma [Mr. McKEOWN] will not prevail. This proposition is one that looks forward to the conservation of our resources, and, as has been stated, the time is at hand when something must be done looking to the conservation of our fuel supply, because those in authority state that at present the known supply of oil will be exhausted within a very few years at the present rate of consumption.

This proposition does not involve any expenditure upon the part of the United States Government except in the investigation and the making of this survey and report. It is not contemplated, as the gentleman from Oklahoma seems to apprehend, that the United States Government will be called upon to build any great plants or to make any expenditures of that kind. But as the gentleman from Iowa [Mr. Goon] has said, here is a proposition that looks to bringing about economy in the use of fuel in the production of power. It looks forward to the use of coal at the mouth of the mines for the production of electric power, saving enormous transportation charges, and releasing a great amount of rolling stock for the transportation of the products of the country. If the plans of those who propose it prove to be feasible, it will involve the expenditure of possibly two or three hundred million dollars to put up necessary plants and machinery. Now, to do that, it will be necessary, of course, to obtain capital from private sources, and those who propose this simply desire a survey and investigation by Government experts in order that if the investigation discloses that such a plan is practicable, those who are asked to make these investments will have confidence in the accuracy and impartiality of the report.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. McKEOWN. Was there not a bill introduced in the House during the war making provision for an investment by the United States of \$200,000,000 in a power plant to be erected and conduct the power to those industries that were engaged in making war materials?

Mr. BYRNS of Tennessee. That may be true, though I do not recall the bill to which the gentleman refers. In any event, that was for war purposes. This proposition is for peace times, and if the gentleman will read the hearings which were had before the committee in connection with this particular estimate I am sure the gentleman will change his views with reference to the necessity and advisability of making this small appropriation. Those who appeared before the committee were explicit in their statements that it was not intended nor expected that the United States Government would be involved in the outlay of a single dollar of expenditure except for this survey, and that private capital would be relied upon for the permanent investment.

Mr. McKEOWN. If the expense of the Government is to be confined to obtaining useful knowledge and information as to this fuel and power, and things of that kind, of course, I have no objection to it; but I am bitterly opposed to the United States Government launching out on a proposition such as that which was brought here and submitted during the war, and I am opposed to their putting in now an entering wedge to that proposition.

Mr. BYRNS of Tennessee. I submit that this provision does not look forward to anything like what the gentleman anticipates. This simply provides that a survey and report shall be made.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. TAYLOR of Colorado. Will not that survey and report be used for purposes of congressional recognition, and will they not come here and ask for a large appropriation next year?

Mr. BYRNS of Tennessee. No.

Mr. TAYLOR of Colorado. The gentleman will recall that we just cut out of the water-power bill a proposition of \$25,000,000 for the Great Falls because we thought that was but an entering wedge for \$50,000,000 to be spent later, and we concluded that if it were a feasible proposition it ought to be developed by private capital and put upon an equality with the other water powers of the United States.

Mr. BYRNS of Tennessee. This is not a water-power proposition. I am just as much opposed to the United States Government entering upon a policy of expending large sums or any sum upon an investment or enterprise of this kind as is the gentleman from Oklahoma [Mr. McKEOWN] or the gentleman from Colorado [Mr. TAYLOR]. This is simply to carry on an investigation to ascertain whether or not it will be possible to economize in fuel and at the same time produce power more cheaply. It is simply to enable the Government, through its experts, to make the investigation and report as to whether or not the plans are practicable and feasible, and if so private capital will establish the plants. I submit to the gentleman that this necessarily relates only to one section of the country, but if this should prove successful it is to be expected that there will be similar enterprises undertaken on the western coast and in the section from which the gentleman from Colorado comes, and I hope in the South and Southeast. I repeat, the time has come when we must give some attention to the conservation of our fuel supply, and it is on this account that I think the Government should make this survey.

Mr. TAYLOR of Colorado. There is no possibility of the committee following this up with an appropriation at the next session of Congress to carry this out?

Mr. BYRNS of Tennessee. Absolutely not, I feel quite sure. I can say for myself that if the committee had had any idea that it meant a future expenditure by the Government in financing an undertaking or enterprise of this kind, so far as I am concerned, the proposition would not have been reported nor would I favor it here—

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. MACGREGOR. Mr. Chairman, in the light of what happened the other day with reference to the water-power bill, I am very much surprised that this paragraph should be in this bill. I sought to have incorporated into the water-power bill a provision requiring that the vast amount of electric power that will be developed at Niagara Falls be distributed equitably to the industries of that vicinity, but this House refused to put that provision into the water-power bill, one theory being that this Congress had no right to dictate to the States as to the manner in which the power developed within the States should

be distributed. Nevertheless, I find in this section of this bill that it provides that a study of the methods for the further utilization of water power is to be made and that a comprehensive system for the generation and distribution of electricity to transportation lines and industries is to be developed. If they come back with a report as to the method in which this power can be developed in this territory, we can not do anything or make any provision with reference to the method of distribution, according to the theory advanced in the debate on the water-power bill. We should at least be consistent.

Further than that, it appears to me that this item of \$125,000 is extraordinarily large, because in the resolution passed in the session of 1917 the sum of \$25,000 was appropriated for an investigation of the water powers covering all the basin of the Great Lakes—Lakes Superior, Michigan, Huron, Erie, and Ontario—under the direction of the War Department. An investigation was made of all of the water powers along the Great Lakes and the report on that has just been submitted. It is extremely voluminous and detailed, and the War Department was allowed only \$25,000 for that purpose. It seems to me this work could properly be done under the jurisdiction of the War Department, and done a great deal more cheaply.

Mr. GREEN of Iowa. Mr. Chairman, I am inclined to agree with the gentleman from Oklahoma [Mr. McKEOWN] that this appropriation should be stricken out. Yet, at the same time, I do not share in his apprehensions as to what may happen in the future in the way of further undertakings following this provision. I do not think there is any danger that the Government will enter into any comprehensive scheme for itself to carry out the projects which are included to be surveyed under this provision. I have a very great deal of doubt, and I think everyone who has listened to this debate has a great deal of doubt as to whether this will be of any benefit. Possibly it will be of some benefit, but are our departments to go on trying everything, spending money on all sorts of projects that may possibly be of some benefit?

In what way would this be of benefit? It is true, as my colleague has stated, that on the New Haven Railroad it has been found that a large saving of coal has been effected by the use of electricity on a certain portion of its line, but right beside the trains that are run by electricity are other trains of the same road on parallel tracks which are run by the power derived from coal. The fact of the matter is that the expense of electrifying the roads is so enormous that it becomes doubtful whether after all it is of any advantage to operate the roads by electricity unless the electrical power can be cheaply derived from falling water. It seems to me that this survey if made would be of no benefit unless it took a great deal more time and money than is evidently contemplated by this provision. Unless we could ascertain just what would be the cost of all the possible plants that might be united in one combination to operate one great electric power plant, we never would know whether a project would pay or whether it would not. On the other hand, if we are just simply to develop the theory, we do not need \$125,000 for it. It has been the dream of engineers now for many years that all of our power plants should be united in one great system, which would use the coal so far as possible at the mouth of the mine, or if it was not possible to take it from the mouth of the mine, that it should be taken from some near point where water or other cheap transportation could be obtained.

Mr. MILLER. Will the gentleman yield for a question?

Mr. GREEN of Iowa. I yield to the gentleman from Washington.

Mr. MILLER. Under whose authority is this research to be made under this bill?

Mr. GREEN of Iowa. I take it, under the authority of the Director of the Geological Survey. I may be wrong about that.

Mr. MILLER. Industrial research under the authority of the Geological Survey; it seems to me that is entirely in the wrong place. It should be under the Department of Commerce.

Mr. GREEN of Iowa. I agree with the gentleman. This is simply another case of a department unduly expanding its activities and getting over into the boundaries of the duties and functions belonging to some other department. The view that I take of it is that this appropriation is either too small for anything to be realized from it or it is too great simply to develop the theory, and it ought to go out of the bill.

Mr. MILLER. The paragraph states that any contribution shall be made to the Secretary of the Interior. It does not say to the Geological Survey.

Mr. GREEN of Iowa. The Geological Survey is under the Department of the Interior.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, it is barely possible that no substantial good will come of this survey. I think it is very probable that substantial good will come from it. It is not expected that \$125,000 will do the work. The estimate of the men who came before the committee was that it would take \$250,000 to make the survey. Therefore by this bill we are appropriating \$125,000 and permitting contributions of a sufficient amount to finish the work, to make a survey of all the power plants, not simply water power, but all the power plants within the territory, which is an enormous undertaking. Mr. Murray, the man whose genius put into operation the plan of electrifying the New York, New Haven & Hartford Railroad, believes that as a result of this survey not only will the commercial and industrial institutions in this territory be benefited but every farmer along the line who now has a little gasoline engine to churn his butter and grind his grist, and things of that kind, will be benefited by being furnished power. When the supply of oil disappears he must turn to some other source.

We may smile at this proposition. We may laugh it out of Congress just as we did by ridicule the proposition of Mr. Langley in regard to the aeroplane. I say to you that it has within it the very things we must adopt to utilize these forces and to make a greater use of coal at the mouth of the mine and at tide water. It was the testimony of Mr. Murray; it was the testimony of Dr. Smith, Director of the Geological Survey, it was the testimony of the Director of the Bureau of Mines, that by utilization of the coal in this way the utilization of the surplus power of the great industrial plants, and the public-utility plants, by utilizing their surplus, more than \$30,000,000 would be saved every year. At the same time it would open up a plan whereby private capital, not Government appropriation, would be used. I would not be in favor of appropriating a single dollar for the Government to go into that kind of a scheme. Private capital should do that. When there is so much of wildcat and watered stocks being circulated and sold, how far would you get in promoting a company of this kind that had back of it only the estimate of some private individual or company? It is intended to have a Government survey and a report, something that would have the stamp of the Government officials on it, that the plan was feasible and practicable, and if the supply of oil is to give out within the time specified, we may well stop and consider if we should not study the question where we can get a substitute.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. MOORE of Virginia. I concur in the views that are being expressed by the gentleman from Iowa with reference to the possibility of a great saving if such a plan can be carried out. It would effect an enormous saving in the transportation of coal. A large part of the car equipment of the country is employed in the transportation of coal. I do not recollect the exact figure, but I think about 50 per cent.

Mr. GOOD. Forty per cent.

Mr. MOORE of Virginia. This matter has been under consideration for some time by scientists of high standing who are hopeful of the result. In my opinion the Government should cooperate in the investigation.

Mr. GOOD. I think we would be very shortsighted if we did not, with these facts staring us in the face, make the small appropriation to do this work. Mr. Chairman, I ask for a vote.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For investigations as to the causes of mine explosions, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, and other inquiries and technologic investigations pertinent to the mining industry, and including all equipment, supplies, and expenses of travel and subsistence, \$409,065.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. I want to ask the chairman if any appropriation is carried in this bill to pay this claims commission that was appointed to settle contracts?

Mr. GOOD. No; their salaries and expenses are paid out of the appropriation for the adjustment of claims. The money has already been appropriated.

Mr. McKEOWN. Has any report been made as to their progress?

Mr. GOOD. No; there was no request made for an appropriation for next year.

Mr. McKEOWN. I wondered if they were going to use up the \$800,000,000 in going about the country and making surveys and not paying attention to the claims.

Mr. GOOD. There was no estimate made to the committee, and the committee, of course, did not seek one. The appropriation was made in the original act, and they have not come to our committee in regard to other funds, and as the act is only being administered now, I suppose it would be difficult to say what, if any, additional funds will be required.

The Clerk read as follows:

For the employment of personal services and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, authorized by the act approved March 3, 1915, \$175,000.

Mr. EVANS of Nevada. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, Nevada's position, as compared to other States, is unique; more than 100,000 square miles is still Government owned. We respectfully urge, for that reason, Government appropriations, which come from all States, that our vast area of public lands have due consideration for the great benefit derived from a mining experiment station. Nevada's earnestness and knowledge of such worth is shown by our legislature appropriating \$30,000 for housing this station.

That sum is now available for the purpose of locating a mining experiment station contiguous to our State university and State school of mines where they will mutually aid each other and the public.

It is highly gratifying to know that the committee have agreed with my statements made before them, and in this bill do recommend that an additional mining experiment station be established.

The worth to Nevada of such investment is beyond estimation. The steady, consistent, and enormous production of scores of various valuable minerals justify our claims, but the potential production which will be aided is one hundred times greater. Hundreds of mining districts with thousands of mines and prospects will repay the expenditure a thousand times over. Mining has become a science which all States sustain.

The experiment station will inform with authority both the prospector and investor, stimulating legitimate activity and preventing misrepresentation if attempted, thus affording protection and encouragement to the residents of all States. We have great deposits upon the mountain sides, running 64 per cent in iron.

Immense tonnage of copper in almost all the 17 counties, nearly all of which lie dormant. The Comstock has produced \$500,000,000 in silver and is still producing. Goldfield district in Esmeralda County produced more than \$100,000,000 in gold and is still producing. Tonopah district has produced several hundred millions in gold and silver, and her production to-day is continued.

Ely, in White Pine County, treats at one plant alone 15,000 tons per day of copper ore.

The State is corrugated with small mountain ranges, with minerals everywhere; gold, silver, copper, lead, quicksilver, manganese, coal, potash, in fact, all known minerals, from antimony to zinc. My figures are approximate but conservative. Value of all minerals in 1916, \$53,500,000. For 56 years, since Nevada was admitted as a State, it has produced a billion in gold and silver alone, or more than 15 per cent of the entire output of the whole United States. Her mineral resources are probably not 1 per cent developed.

Every county is enormously mineralized. Our production was growing more widely distributed, and until 1917 steadily increasing, when the war claimed a high percentage of our population, and more than \$20,000,000 cash was advanced to the Government upon war subscriptions. Now, owing to higher costs of mining, depletion of our best labor, and excess-profits tax, the mining industry is carrying a too heavy load to continue its forward progress. This load can be lightened by recognition and advice obtained from a mine experiment station, which can and will solve the numerous mining problems.

We are not complaining, but are proud to record the fact that minerals are there, awaiting scientific methods for a greater extraction by the cyanide process; economical treatment of low-grade oxidized ores existing throughout the State; processes for extracting oil from oil shales; economy of treatment for low-grade oxidized copper and silver ores, low-grade lead, zinc, and iron.

A solving of the slime-settlement problem, conservation of lime and cyanide, used in treatment of which we are perhaps the largest users, most of which is lost in tailings.

Improved methods of precipitation; improved treatment of antimonial and arsenical ores carrying gold and silver; improved concentration and flotation process; improved processes for sulphide ores, making their appearance as depth is attained.

Leaching of oxidized copper ores; concentration of mercurial ores; increased recovery from sulphur ores; advice upon rarer

metals, platinum, and so forth; concentration of tungsten ores; investigating waste in metallurgy, generally aiding the small mine to develop into a big producer. Thus mines are more made than found.

Realizing and indorsing the need for economy in every possible way, yet maintaining that this small expenditure for locating a mine experiment station in Nevada will directly benefit a vast area of Government land while protecting and instructing the prospector whose living is hard and reward uncertain, deserves the valuable and authentic information which science will thus render to him. This service will decide with authority the numerous complex conditions of ore and vein occurrence and values, classifying rare minerals and generally aiding all mining work. Recent developments have proven oil to be existent in Nevada. This station will do good work helping oil men to overcome the difficulties of protecting oil sands from water, increasing the ultimate production of wells by using compressed air and by other means determining the migration and accumulation of oil and water, establishing methods for estimating valuation and appraisal of oil properties as affecting royalties in leasing oil and gas lands. Solving drilling problems by overcoming difficulties found from caving ground; furnishing best advice on pumping, acting in capacity for expert aid and advice upon various types of storage tanks as relating to evaporation; upon cause, prevention, and extinguishing of fire; advising regarding oil camp sanitation; in hundreds of ways aiding development of public lands. There are undeveloped deposits of coal within 100 miles of the new oil strike at Fallon. These operations deserve instant advice upon complications continually arising, improved methods for greater recovery; general construction for economical value; proven operation and prevention of waste. Expert advice upon installation of machinery and safety appliances to protect life. The experiment stations already established are proven good investments. Nevada, being such fertile mineral field, should have a station working in conjunction with State University and School of Mines, furnishing laboratory tests and valuable advice upon numberless intricate questions. Our State has appropriated and has now available \$30,000 for housing such station, supplementing the research work of the State University and School of Mines, while materially aiding in the settlement and development of a vast area of public lands.

The Clerk read as follows:

Hereafter the Secretary of the Interior may have sand, gravel, stone, and other material hauled for the municipal government of the District of Columbia and for branches of the Federal service in the District of Columbia, whenever it may be practicable and economical to have such work performed by using trucks of the Government fuel yards not needed at the time for the hauling of fuel. Payment for such work shall be made on the basis of the actual cost to the Government fuel yards.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. What is the idea of writing this into permanent law?

Mr. GOOD. We have in the Government fuel yards a great many motor-driven trucks. A part of the time they are delivering coal to the various departments and buildings operated by the Government. In order to operate these trucks they must have men accustomed to their operation at all seasons of the year. The city does not have enough trucks to make their repairs to the streets in hauling sand, gravel, stone, and things of that kind. They are simply asking that the trucks, when not used to deliver coal, may be used in hauling gravel, sand, cement, and material for repairing roads in the District; that they may have the use of those trucks for the actual cost of operation, including depreciation.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

Hereafter the Secretary of the Interior is authorized to deliver, during the months of April, May, and June of each year, to all branches of the Federal service and the municipal government in the District of Columbia, such quantities of fuel for their use during the following fiscal year as it may be practicable to store at the points of consumption, payment therefor to be made by these branches of the Federal service and municipal government from their applicable appropriations for such fiscal year.

Mr. CHINDBLOM. Mr. Chairman, I move to strike out the last word. I want to ask the chairman if this is a new provision of law with reference to the purchase and delivery of fuel during the months of April, May, and June.

Mr. GOOD. It is.

Mr. CHINDBLOM. And it is intended to effect an economy?

Mr. GOOD. Not only effect an economy but to relieve the coal shortage in the wintertime, so that the Government may purchase its coal and get the deliveries of it early in the year and thereby relieve the transportation companies and the mines

as well from furnishing coal for Government buildings in the wintertime when there might be a possible shortage.

Mr. CHINDBLOM. And a situation might arise where other months might be more practicable.

Mr. GOOD. They will be permitted to deliver during other months. These are only the months immediately preceding the next fiscal year.

The Clerk read as follows:

Boise project, Idaho: For operation and maintenance, continuation of construction, and incidental operations, \$774,000: *Provided*, That no part of this appropriation shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of the costs thereof.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry of the chairman. I observe that this money is being expended for drainage and irrigation districts formed under State laws, and that any money used for that purpose is subsequently to be repaid to the Government, but it says nothing about interest. Why does not the Government get interest on this?

Mr. GOOD. Mr. Chairman, the law provides specifically just what payments can be collected from the water users, and in no law that I can recall is any provision made for the collection of interest at all, the theory being that these waste and desert places should be made productive and the settlers should settle upon them, and that in order to encourage settlement upon them all that would be expected back is the principal, and they were given long periods of time within which to pay back the original investment.

Mr. GREEN of Iowa. I observe that also.

Mr. GOOD. And we have extended the time frequently in cases where it was necessary. There is no provision on a single one of the projects that I can recall where interest is collected from the users. It is not required.

Mr. GREEN of Iowa. Of course, Mr. Chairman, the gentleman is speaking of the general reclamation laws, which do not apply to this particular case.

Mr. MONDELL. Oh, yes; this is the reclamation law.

Mr. FRENCH. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. FRENCH. I would say that the drainage involved here is part of the reclamation project itself.

Mr. GREEN of Iowa. What does the gentleman mean? These are districts organized under the State law. Does the gentleman mean to tell me that the United States Government regulates the amount to be paid on districts organized under the State law?

Mr. GOOD. Yes; because they took them over under the reclamation act.

Mr. FRENCH. The drainage project is made necessary by reason of the reclamation work.

Mr. GOOD. I think where the gentleman is confused is this, that most of these irrigation districts are corporations, and they are organized under the laws of the State.

Mr. GREEN of Iowa. Oh, yes; I understand all that perfectly well, but that is not what I intended to come to. The original reclamation laws, as gentlemen have stated, provided for the repayment of this money advanced on these projects without interest, and the result of that has been that apparently we are going to get it in kingdom come. I do not know when else we will get it. Extension after extension has been made on these projects, and we are not getting our money. These men who are out there on those irrigation projects for the most part are exceedingly prosperous. They are making money, and there is no reason why they should not either pay the Government what the Government has advanced or else pay interest upon it. There is no reason in the world why they should not, except that so long as they can use the Government's money without interest they will do so, and we will continue to go on in this same manner. Whether there was originally provision made that these sums should be advanced on these drainage districts without interest I do not care. I maintain there ought to be a provision for interest in a case like this.

Mr. MACGREGOR. How much do these Western States owe us for these reclamation projects?

Mr. GREEN of Iowa. Oh, they owe us millions of dollars.

Mr. MACGREGOR. Have they ever paid us any?

Mr. GREEN of Iowa. Yes; they have paid some of it; but I think they are in no hurry to pay it as long as it does not draw interest. Who would be?

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. MONDELL. Does the gentleman recall that the great State of New York has paid any part of a very large loan that

it received from the Federal Government some 60 or 70 years ago?

Mr. MACGREGOR. I do not recall that. That was before my time.

Mr. GREEN of Iowa. To what loan does the gentleman refer?

Mr. MONDELL. A very large loan of receipts from the sale of public lands, distributed among various States of the Union, the State of Iowa perhaps among others. No penny of that has ever been repaid, principal or interest.

Mr. GREEN of Iowa. What does the gentleman mean? Does he mean money appropriated for educational purposes?

Mr. MONDELL. Oh, no. A large sum of money, as I recollect, was distributed among the States of the Union in the expectation that they would repay it, but they have repaid no part of it. If Iowa was one of the States, she has not paid a penny of it, and neither has New York.

Mr. CANNON. Oh, there was not any Iowa at that time. That was in Jackson's time.

Mr. MONDELL. Very well. We will transfer the charge to Illinois. Illinois got some of it.

Mr. GREEN of Iowa. Oh, there was some money voted to the States for certain purposes, but there was no understanding that it should be repaid.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. But no matter about that. Because we have made some mistakes in the past—and heaven knows we have made plenty of them—is no reason why we should continue on the same blundering, incompetent way. These projects ought to pay their way. There is no reason in the world why they should not. Men are making money out of them. They are making money at the expense of the National Government. Mr. Chairman, I move to amend on page 100, line 9, after the word "thereof" by striking out the semicolon and inserting the words "with interest at 5 per cent, payable annually."

The CHAIRMAN. The gentleman from Iowa offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GREEN of Iowa: Page 100, line 9, after the word "thereof" strike out the semicolon and insert "with interest at 5 per cent, payable annually."

Mr. GOOD. Mr. Chairman, I make the point of order on the amendment that it is new legislation.

The CHAIRMAN. The Chair will hear the gentleman on the point of order. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. GOOD. The item referred to is the proviso with regard to the Boise project in Idaho and reads as follows:

Provided, That no part of this appropriation shall be expended for drainage except in the irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of the cost thereof.

The amendment is "with interest at 5 per cent." The irrigation law specifically provides what the repayment shall consist of. The laws provide that the repayment shall consist only of the actual cost of the improvements. It was never intended when Congress enacted the legislation with regard to these irrigation projects that any interest should be collected at all, and the only repayment exacted under the law is for the amount invested. Now, there are two sides to the question so far as the desirability of exacting interest is concerned. I do not know what this Congress would do if it were called upon to legislate upon this subject to determine whether or not these settlers should be compelled in drainage districts to pay interest upon the repayments, but one thing I am satisfied of is that the law provides only for the repayment of the principal invested by the Government of the United States; and to require now that they pay, or be compelled to pay, interest on their investment is an enlargement, and a material enlargement, of the existing law and is legislation on an appropriation bill and is not permitted.

Mr. GREEN of Iowa. If I may be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Iowa.

Mr. GREEN of Iowa. If it is true that is the law now, there would be no necessity for the provision in the bill. It seems to have been thought necessary to put in the bill that the repayment should consist of the costs thereof, notwithstanding my

colleague says that is the law already. Now, with this provision in the Boise project that the money could only be expended in the case of an execution of an agreement for repayment to the United States of \$744,000, no one would question the propriety of an amendment increasing the amount to \$775,000. Now, all that this amendment that I have offered does is simply to increase a little the amount of this sum which is to be repaid under the provisions of the bill which is before us, not an act previous or some other law, but under the provisions of the bill which is before us.

Mr. MONDELL. Mr. Chairman, the gentleman from Iowa [Mr. GOOD] has called attention to the fact that we are now considering reclamation items under the act of June 7, 1902, under which specific provision is made that the sums invested shall be repaid without interest, the language of the law being, "shall repay the estimated cost of construction." The particular item before us is an item under that law. It is proposed on this project to carry on some drainage work in connection with the irrigation. That is something that is done on every project. Every project requires drainage as well as irrigation; and in order that there should be no question about the repayment of these particular sums, a provision is inserted requiring the organization of a district in order, through the organization of that district, to further protect the Government, and then a provision, which is to a certain extent superfluous, that the sum expended shall be returned. It must be returned in any event, but the provision here is that the money shall not be spent until an agreement is had with the reclamation district that they shall make the repayment. The words "repayment provided by the reclamation law" might have been used. The language used was "repayment to the United States of the costs thereof." Clearly the amendment to add interest to the reclamation charge is an amendment to the reclamation law and new legislation changing the reclamation law, which could not be done on an appropriation bill.

Mr. GOOD. Mr. Chairman, the Chair will find the law in the act of August 13, 1914, Thirty-eighth Statutes, page 686, and after the preliminary statements it provides:

And any person who hereafter makes entry thereunder shall at the time of making water-right application or entry, as the case may be, pay into the reclamation funds 5 per cent of the construction charge fixed for his land as an initial installment, and shall pay the balance of said charge in 15 annual installments, the first five of which shall be each 5 per cent of the construction charge and the remainder shall be 7 per cent until the whole amount shall have been paid.

So it is very clear that the actual construction charge is the only thing that can be required under the law.

The CHAIRMAN. The Chair will ask the gentleman from Iowa this question: Is the proviso as it now stands in accordance with existing law or an enlargement of existing law?

Mr. GOOD. It is in accordance with the existing law as it now stands without the amendment, and is in the same form it was carried ever since the reclamation act was adopted; that is, since the law was changed requiring annual appropriations it has been carried in this same form.

Mr. GREEN of Iowa. Mr. Chairman, I think the Chair will readily see that this provision we have here applies to a matter which was not under the purview of the original reclamation law, namely, the contract with these certain districts for drainage, and that is all this is for. This expense is to pay for drainage. It is all with regard to drainage districts formed under State law, and it has to do with a contract that is to be made, and is not such a contract as is mentioned in the provision read by my colleague with some person who enters upon the land, but a contract with a drainage district.

Mr. MONDELL. Mr. Chairman, the reclamation law very clearly determines the manner of payment. In addition to the language read by the gentleman from Iowa, section 4 of the reclamation law provides that the charge shall be laid "with a view of returning to the reclamation fund the cost of construction and shall be apportioned equitably." Drainage work is a very usual and ordinary work on a reclamation project. There is drainage work on all reclamation projects, and in this particular case, in order to make it more certain that the costs as provided by the law shall be returned, it is provided that there must be a district formed.

Mr. FRENCH. And then to supplement what has been said I call attention to the fact that this proviso does not in itself provide for drainage work. It is a limitation based upon the general authority that now exists for it.

And if we needed special legislation to enable us to do drainage work, we would want to use more language than is in that proviso. It says:

Provided, That no part of this appropriation shall be expended for drainage except in irrigation districts.

And so forth. That presupposes other authority. What is that other authority? It is the general authority of the reclamation law, and the language in lines 4 and 5 and the first part of line 6, up to the word "*Provided*," simply recites "for operation and maintenance, continuation of construction, and incidental operations, \$774,000." And then that, together with the language used in the reclamation act itself, is all the authority necessary for engaging in the drainage-work part of the project.

Mr. GREEN of Iowa. What more authority do you need to have this drainage carried out in these State districts than right here in this paragraph?

Mr. FRENCH. They are authorized under regular authority of law to do it.

Mr. GREEN of Iowa. What need of anything more than is in the paragraph itself?

Mr. FRENCH. My judgment is that the department has perfect authority without that proviso being there at all, but I do think, though, it is rather wholesome to let the proviso be there, because it helped the department to make arrangements with the irrigation district.

Mr. GREEN of Iowa. This originated under the State law to be carried on in drainage districts. The contract is with the drainage district.

Mr. MONDELL. Mr. Chairman, I do not want to tire the Chair or unduly extend this discussion, but the gentleman from Iowa [Mr. GREEN] clearly misunderstands the object of the proviso. This proviso is not necessary in order to carry on drainage work on a reclamation project. There is not a reclamation project under way on which drainage work is not done. The proviso is simply one requiring that before the money is spent on this particular project there shall be a district organized under the State law. The purpose is to more fully secure the Federal Government by not only having the obligation of the individual, but the obligation of the district as well.

Mr. GOOD. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. GOOD. Is it not true that when the reclamation law was before the House there was a strong fight made, a very bitter fight, to require interest on the payment, and that provision was eliminated from the bill?

Mr. MONDELL. Mr. Chairman, I think such an effort was made. If the Chair will bear with me a moment to say what I might say later under the five-minute rule with regard to this matter generally.

The House should remember that all of the funds which flow into the reclamation fund are proceeds of the sales of public lands or repayments from projects. None of them is obtained by taxation. From the foundation of our Government we have treated the proceeds from the sales of the public lands as a fund separate, apart, and distinct from the funds received through methods of taxation. Way back in Jackson's time, as the gentleman from Illinois just reminded us—he is the only one of us here who remembers that far back—there was an accumulation of these funds in the Treasury, amounting to many millions of dollars. The fathers scarcely knew what to do with them, and they finally distributed them among the States; loaned them to the States. Most of the States frittered them away. None of the States has ever repaid a penny of those sums. A little later we took some of the proceeds of the public lands and applied them under the so-called Hatch and Morrill funds to the support of agricultural colleges and schools of mechanic arts. In 1902 we dedicated the proceeds of the sales of public lands to the construction of irrigation work in 17 Western States and Territories, to which Texas was afterwards added. In the laws drawn for the purpose of utilizing those funds, the fund thus created, we provided for the payment of the money expended, and we followed the rule which has been always followed with regard to the proceeds from the sale of public lands, treating them as a fund separate and apart, different and distinct from the funds secured from taxes, and no interest charges were laid. I think up to this good hour there has been no discussion, except at the time the law was passed, of the charging of interest on these projects.

The CHAIRMAN. The Chair would like to ask the gentleman from Wyoming [Mr. MONDELL] this question. He is very expert on matters of this kind and very familiar with them. The Chair would like to ask whether or not under existing law it is the practice of the Reclamation Service to require a reimbursement on the part of the entryman for the amounts which are spent in drainage, as distinguished from the amounts which are expended for the irrigation projects proper?

Mr. MONDELL. In the great majority of cases there is no distinction between the funds used for irrigation and drainage,

for, curious as it may appear to those not familiar with the processes of reclamation by irrigation, a complete and oftentimes expensive drainage system is required for almost every area permanently irrigated, and in some cases the drainage of the project involves an expenditure approximating that of putting the water on the land. There is a project in my State—the Shoshone—on which, I desire to say to the gentleman from Iowa [Mr. GREEN], there is not a dollar now unpaid, where the cost of drainage was, as I recall it, or has been up to this time, almost as great as the original cost of putting the water on the land.

In other words, the natural underground drainage was found to be insufficient, and in order to carry the surplus water from the lands when they were irrigated it became necessary to lay tile drains at frequent intervals all over the project. Now, that expenditure has been carried on on that project for years, and it is part and parcel of the other work, and goes right in with the other charges.

Mr. GOOD. On this very project it is proposed to build 149.5 miles of drainage, and the estimated acreage protected by the drains built is 88,000 acres.

Mr. MONDELL. Mr. Chairman, if the Chair will bear with me a moment, the only purpose of the provision under discussion is this: I assume that a condition arose on the Boise project under which the authorities, the reclamation officials, felt that in the making of the very considerable expenditures that was necessary for irrigation drainage they would be better protected if, in addition to the individual obligation, there was the general obligation of a drainage district. Two years ago we made a provision of that kind with regard to an irrigation project in Texas. There the cost of drainage was mounting so high that the Reclamation Service said, "For our protection, in order that there may be no question about the reimbursement, we desire to have written into the law a provision under which we shall not make our expenditures unless there is a municipal corporation which assumes jointly with the individual the obligation of repayment"; and this is such a provision; a provision strengthening the Government's position by requiring an organization under the State law, which, together with the individual, becomes responsible for repayment.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GREEN of Iowa. I hope my friend will not think that I am ignorant of the nature of these projects. It has been my misfortune to own a part of one of these tracts, or at least to have an equity in it, which needed drainage as a part of the irrigation scheme.

Mr. MONDELL. How did the gentleman get it without living on it?

Mr. GREEN of Iowa. How did I get it?

Mr. MONDELL. Yes. How did the gentleman get a tract under the national irrigation law without living on it?

Mr. GREEN of Iowa. It was not under the national irrigation law.

Mr. MONDELL. The gentleman could not comply with the law.

Mr. GREEN of Iowa. That is not what I was referring to, nor was I speaking at this time of one of the tracts coming within the national scheme. I was speaking of my knowledge of irrigation projects. I have had tracts under the national irrigation scheme, although I have never perfected title under the law, of course.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. FRENCH. Mr. Chairman, I do not want to prolong this discussion, but I simply want to add this, that so much is this drainage a part of the use of the land under the reclamation law that it is even necessary sometimes to save the Government security to go ahead and do the drainage work. I have no doubt that in the case which the gentleman from Wyoming [Mr. MONDELL] mentioned it cost as much to drain the land as it did to construct the irrigation works. In this particular project it is being urged that to save the security of the Government on account of expenses of reclamation work the drainage must go hand in hand with it and be carried out, and it is unquestionably a part of the general reclamation work.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks it is clear that the amendment of the gentleman from Iowa [Mr. GREEN] changes the existing law, because the existing law makes no requirement that the funds used on reclamation projects shall be paid with interest. But the amendment of the gentleman from Iowa would nevertheless be in order as

amendment to this paragraph if the proviso itself were an amendment of existing law.

The Chair has examined the reclamation act with as much care as is possible in the brief time the Chair has had to examine it, and the Chair finds that one provision of the reclamation act, or an amendment of the act, approved March 3, 1915, reads as follows:

No work shall be undertaken or expenditure made for any lands, for which the construction charge has been fixed by public notice, which work or expenditure shall, in the opinion of the Secretary of the Interior, increase the construction cost above the construction charge so fixed; unless and until valid and binding agreement to repay the cost thereof shall have been entered into between the Secretary of the Interior and the water-right applicants and entrymen affected by such increased cost, as provided by section 4 of the act of August 13, 1914, entitled "An act extending the period of payment under reclamation projects, and for other purposes."

The Chair will state that the reclamation act contemplates not only the repayment of the amounts that are advanced from the reclamation fund, but also that agreements shall be made in advance for the repayment of the money, and the effect of the provision that is carried in the bill is really a restatement or reenactment of existing law, and that the amendment of the gentleman from Iowa changes the law, whereas the proviso in the bill does not. The Chair thinks, therefore, that the amendment of the gentleman from Iowa is not in order, and therefore the Chair sustains the point of order.

Mr. EVANS of Nebraska. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. EVANS of Nebraska: Page 100, line 9, after the word "thereof" insert "Provided further, That no part of the funds herein appropriated shall be expended except in districts which provide for the repayment thereof with interest thereon at the rate of 5 per cent per annum."

Mr. GOOD. I make a point of order on the amendment.

The CHAIRMAN. The Chair thinks that the amendment of the gentleman from Nebraska [Mr. EVANS] is clearly an affirmative requirement; that it requires affirmative action on the part of the Reclamation Service; that it changes existing law; and that it is subject to the point of order. The Chair therefore sustains the point of order. The Clerk will read.

The Clerk read as follows:

Belle Fourche project, South Dakota: For operation and maintenance, continuation of construction, and incidental operations, \$120,000.

Mr. SINNOTT. Mr. Chairman, I move to strike out the last word.

Mr. GANDY. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GANDY. What paragraph does the gentleman refer to?

Mr. SINNOTT. I have made a formal motion to strike out the last word in the last paragraph read.

Mr. GANDY. Which one was that?

Mr. SINNOTT. Line 11, page 102. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to proceed for 10 minutes. Is there objection? There was no objection.

Mr. SINNOTT. Mr. Chairman, the Reclamation Service is one of the great activities of the Government. I think that the money invested in the reclamation of arid lands is one of the best investments the Government ever made. It has expended something like \$120,000,000 in the reclamation of the arid lands in the 16 Western States and Texas, and, according to the figures given for crop production in the year 1918, there was produced from that investment of something like \$120,000,000 about \$90,000,000 in that one year. Certainly that is a good investment.

The Reclamation Service is presided over by one of the most modest but ablest men in the United States, Director Davis, a great engineer, a man who is known all over the world for his ability along engineering lines. He was chosen by the Government of China to go to that country to investigate some of their engineering problems. At a meager salary, probably one-fifth of what he could earn in private life, he is unselfishly giving his great talents to the public service. The operations of Director Davis have resulted already in reclamation projects as monumental as the very Pyramids themselves. I think those projects will possibly outlast the Pyramids, and they will certainly be of far greater benefit to mankind.

I say this to show you that I am heartily in favor of the Reclamation Service, of its director, and of its present force.

But there is one criticism that I desire to make of the expenditures of the reclamation funds, and I think that the Committee on Appropriations should take upon itself the ini-

tative to remove the reasons for the criticism that I am going to make.

The reclamation act was passed June 17, 1902. It provided in substance that in each 10-year period there should be an equitable distribution of the reclamation fund among the States from which the fund comes. Now, the reclamation funds come from the sale of public lands in 16 reclamation States.

In 1910 the then Director of the Reclamation Service, Mr. Newell, came to Congress and asked for a modification of section 9 of the reclamation act, which required in each 10-year period an equal distribution of the fund. He said that the service was embarrassed and hampered by the rigidity of the law, and he said if this law was repealed that the service itself would bring about an equal distribution of the fund within the various reclamation States.

So, on June 25, 1910, before I came to Congress, section 9 of the reclamation act requiring equal distribution of the fund in the various States was repealed. Now, until the passage of the act of August 13, 1914, the matter of the expenditures of the reclamation fund rested wholly in the discretion of the Secretary of the Interior. He could spend the fund wherever he saw fit, without any direction or control by Congress. He had carte blanche in the expenditure of the funds.

August 13, 1914, an act was passed taking away from the Secretary of the Interior the right to make these expenditures as he saw fit, and that act provided that from and after July 1, 1915, expenditures shall not be made for carrying out the purpose of the reclamation law except out of appropriations made annually by Congress therefor; that act also provided that the Secretary of the Interior should annually submit to Congress estimates of the money needed.

So, since August 13, 1914, Congress has been a brake on the Secretary of the Interior. The Secretary of the Interior could not spend a cent unless he sent in his estimates to the Committee on Appropriations of the House and they approved his desires and the matter was afterwards approved by Congress.

So this matter rests with the Secretary of the Interior first and the Committee on Appropriations in the second place to restore the original intent of the reclamation act to make an equal distribution of reclamation funds among the reclamation States.

I hope that the Committee on Appropriations and the chairman will give particular heed to this matter and endeavor to restore the original purpose of the act, and that is an equal distribution of the fund as the original act contemplated and as the Secretary of the Interior said he would do when he and Director Newell asked to have the act modified by the repeal of section 9 in the year 1910.

A good many of us in the House voted to take away the discretionary power of the Secretary of the Interior and lodge it in Congress and in the Committee on Appropriations, hoping that the committee and Congress would do something to bring about this equal distribution of the fund.

Now, what is the result? The original act has been departed from. There has been the grossest kind of discrimination against some States and favoritism to other States. Let me give you some of the figures. I hope that in the future the committee and Congress will do something to rectify this discrimination. I have spoken about this matter several times since I came to Congress, because some of the Western States feel very sore and indignant over this gross discrimination and favoritism in the expenditure of the reclamation fund.

There is nothing personal in what I have to say, but I want to call the attention of Congress to the gross discrimination in the expenditure of this fund in the hope that there may be redress, in the hope that the committee itself will take the initiative and call the Secretary of the Interior to account and see that he does something toward returning to the original provisions of the act—to do what he said he would do when Congress removed the restrictions of the old section 9 requiring equal treatment to the different States.

Now, Arizona put into the reclamation fund up to June 30 last, in round numbers, \$1,640,000.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. SINNOTT. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SINNOTT. Arizona put in the reclamation fund \$1,640,000. There has been expended out of the reclamation fund in the State of Arizona \$20,087,000.

California has put into that fund \$6,500,000, and has only received \$4,000,000 from the fund.

Colorado has put into the reclamation fund \$8,600,000, in round numbers, and has received \$11,500,000.

Idaho has put in \$6,000,000, and has received over \$23,000,000 from the reclamation fund.

Kansas has put into the reclamation fund \$1,000,000, and has received \$407,000.

Montana has put into the reclamation fund \$13,200,000, and has received \$15,500,000 from the fund.

The State of Nevada has put into the reclamation fund the sum of \$735,000 and has received from the reclamation fund over \$7,000,000. The State of New Mexico has put into the reclamation fund \$4,900,000 in round numbers, and has received \$8,000,000. The State of North Dakota has put into the reclamation fund \$12,100,000, and has received \$2,500,000. The State of Oklahoma has paid into the reclamation fund \$5,800,000, and has received \$132,000. The State of Oregon, my own State, has put into the reclamation fund \$11,165,000, and there has been expended in the State of Oregon only \$5,600,000. The State of South Dakota has put \$7,400,000 into the fund, and has received \$4,000,000. The State of Utah has put into the reclamation fund \$2,600,000, and there has been expended in that State \$4,200,000. The State of Washington has put \$7,100,000, and has received \$14,500,000. The State of Wyoming has put in \$5,897,000, and has received over \$11,000,000. These figures are from the eighteenth annual report of the Reclamation Service for the fiscal year ending June 30, 1919.

I call this matter to the attention of the House and to the attention of the committee with the hope that in the future the committee will take upon itself the burden and initiative of calling this matter to the attention of the Secretary of the Interior. I have called it to his attention repeatedly; that is, to the former Secretary, getting very little results, and this gross discrimination against some States and gross favoritism of other States should no longer obtain. I hope Secretary Payne will read my remarks and correct this one abuse in the administration of the Reclamation Service. [Applause.] I hope the chairman of the committee will take up this matter the next time the estimates are presented to him. [Applause.]

Mr. MONDELL. Mr. Chairman, will the gentleman yield? Did the gentleman from Oregon refer to the State of Texas?

Mr. GANDY. Mr. Chairman, I hope the gentleman from Oregon will correct the figures that he read with respect to South Dakota.

Mr. SINNOTT. Possibly I got on the wrong line, but I will give the correct figures in the RECORD.

Mr. MONDELL. I did not note that the gentleman referred to the State of Texas.

Mr. SINNOTT. No; I should have referred to the State of Texas. The State of Texas has put into the reclamation fund nothing, and the State of Texas has received \$3,964,654.

Mr. BLANTON. And there is not a single dam in the State of Texas.

Mr. SINNOTT. No; they are not all in the State of Texas.

Mr. BLANTON. Mr. Chairman, I notice that we have not a quorum present. I do not care to make the point if we can have some assurance that on this marketing day we will rise pretty soon. This is Saturday afternoon.

Mr. GOOD. Oh, we ought to read several pages yet before we rise.

Mr. BLANTON. The gentleman should remember that we have to buy meat and bread and groceries for to-morrow.

Mr. GOOD. I hope we may run for a little time yet.

Mr. BLANTON. Will the gentleman rise after this matter has been disposed of?

Mr. GOOD. Oh, no; we ought to read several pages yet.

Mr. BLANTON. I hope the gentleman will have compassion upon us.

Mr. GANDY. Mr. Chairman, the item just read proposes to appropriate \$120,000 for the operation and maintenance of the Bellefourche project, in South Dakota. Provision is not made for further construction work, and with relation thereto I beg the indulgence of the House.

The Bellefourche project is to-day one of the most successful of the Government projects. According to the report of the Reclamation Service, 97,889 acres will be irrigable when the project is completed, and water is now available for 82,592 acres. The first unit of the project was opened about 10 years ago, and other units have been opened as construction has progressed. Hundreds of farm homes dot the project, and several very excellent towns are thriving thereon. It is interesting to note that of the construction charges accrued to June 30, 1919, approximately 95 per cent was paid before that date, almost 90 per cent of the operation and maintenance charges had then been paid, as well as over 95 per cent of water-rental charges. The small delinquencies were practically wiped out by early fall, as soon as crops started to move. I merely recite these things that the House may know the Bellefourche project is on a substantial foundation. The obligation owing to the Government by the

water users is amply secured and will be paid in full under the terms of the reclamation law. Land values there have risen rapidly, and sales of irrigated land at \$150 or \$200 an acre are not uncommon. Unusual circumstances in the early days of the operation of the project caused some delay in its development, but it is now on the high road to success, with but two obstacles in the way of making that success complete. Those obstacles are the lack of sufficient water supply for the Johnson lateral and the failure of the Reclamation Service thus far to construct the Willow Creek lateral.

The Johnson lateral was the first unit opened, and the water therefor is taken directly from the inlet canal between the Bellefourche River and the reservoir. There is abundant water in the reservoir for the needs of the project, but this one unit, which is relatively a small part of the project, having an area of about 3,700 acres, is dependent for water on the unregulated flow of the Bellefourche River. This was expected to be sufficient for the area involved, but time has demonstrated that it is not. According to my information, during 4 of the 10 years this unit has been in operation there has been such a shortage of water in the crop-growing season as to make the deficiency serious, indeed, to the water users in the lateral.

That you may know just how serious is this lack of water, I recently requested Mr. James E. Stewart, of Bellefourche, S. Dak., a veteran of the recent war and a highly capable citizen who is not directly interested in any of the lands involved, to carefully investigate the acreage planted and yields therefrom of the various kinds of crops on the Johnson lateral during the year 1919, and to estimate the loss, based on a careful consideration of the yields of this lateral and of the yields on the project. I have received his report, as follows:

Johnson lateral losses.

Commodity.	Acreage.	Average loss.	Total loss.
	<i>Acres.</i>		
Pasture.....	243	Unknown.....	
Oats.....	271	42 bushels at 3 cents per pound=\$13.42 per acre.	\$3,642.24
Native hay.....	289	Unknown.....	
Alfalfa.....	1,320	1 ton per acre at \$18 per ton=\$18.50 per acre.	17,820.00
Sugar beets.....	490	2 tons per acre at \$10 per ton=\$20 per acre.	9,800.00
Potatoes.....	17	20 bushels per acre at 7 cents per pound=\$84 per acre.	1,428.00
Corn.....	116	15 bushels per acre at 3 cents per pound=\$25.20 per acre.	2,923.20
Wheat.....	751	33 bushels per acre at \$3 per bushel=\$101.25 per acre.	76,038.71
Miscellaneous.....	122	30 bushels per acre with feed value 3 cents per pound with average weight 40 pounds per bushel=\$36 per acre.	4,392.00
Grand total.....	3,619		116,044.15

Average loss per acre, counting land on which no loss was figured, \$32.06.

Thus, you will see, gentlemen of the House, that the water users under the Johnson lateral last year alone suffered a loss of approximately 40 per cent of the estimated cost of providing storage for this lateral, which storage would also serve adjoining lands. I further call your attention to the fact that if my friend Stewart had in preparing his estimates used the prices prevailing in the city of Washington for these various commodities the estimated loss would be far in excess of the figures submitted.

I fully appreciate the situation as to the reclamation fund where the balance is now lower than it ever has been since the fund was established, but, Mr. Chairman, when one has applied for and received a water right from the Reclamation Service, which is a part of the Government of the United States, that person has a right to expect delivery of sufficient water for irrigation purposes. There is no excuse that can be offered that will ease the heartache of the man who sees his crops wither beneath the summer sun while irrigation ditches are dry because the water supply is not reliable. These farmers have no other income than the income of their irrigated farms, and when crops fail, then must and does come privation not only to the head of the family but to the wife and children as well, and the development of the farm comes to a standstill.

In the last analysis the Congress is the only recourse and we can not evade our share of the responsibility for seeing that this Government keeps faith with those folks under the Johnson lateral who never have been segregated from the Bellefourche project and who are charged with their proportionate share of the cost of construction and the cost of operation and maintenance, as are the other water users of the project. They have a just and righteous cause, the good faith of the Government is at stake, and the Congress ought to see to it that

that for which they have paid, are paying, and are willing to pay—a reliable supply of water—is provided.

What then, Mr. Chairman, is the remedy for this unusual situation, the like of which I fail to find in reading the reports of the Reclamation Service? Careful examination has been made of the drainage basin above to locate sites at which suitable storage might be built for the Johnson lateral lands. A number of sites were found and studied, but to most of these there are serious objections on account of insufficient water supply or excessive cost. Apparently the most attractive site located is commonly known as the proposed Chicken Creek Reservoir, the construction of which has been estimated for by the Reclamation Service. The site is sufficient to provide storage both for this lateral and a near-by private development.

By building a larger reservoir for the double proposition there could be accomplished an economy in the unit cost. The suggestion has, therefore, been made by the Reclamation Service and tentative arrangements outlined for a joinder of forces between that private development and the Government on behalf of the Bellefourche project. The report, however, was not completed in time to be included in the regular reclamation estimate. In the supplemental estimate for appropriations for the coming fiscal year there was included an item of \$300,000 for the construction of this reservoir. The cost of this construction would be charged to the Bellefourche project and to the private development known as the Red Water Irrigation project, in proportion as the acreage benefited bears to the total cost.

The situation with relation to estimates of the Reclamation Service is in itself unusual. Three estimates were submitted. The first one exhausts the reclamation fund as estimated for the year 1921. A second estimate was submitted which contemplated expenditures of \$10,000,000 from the Treasury general fund. That estimate was not acted on by the committee. There is prospect under the oil-leasing bill of material additions to the reclamation fund, especially in view of the fact that many millions of dollars of the proceeds of oil sales in Wyoming and California have been impounded in banks awaiting such time as the Government might release the withdrawals and permit the funds to be dispersed. Very quickly the Government will receive its share of the money involved. That income is roughly estimated at \$5,000,000, and on the assumption that this would become available for the fiscal year 1921 a supplemental estimate was prepared, approved by the President, and submitted to Congress covering the more urgent needs for additional construction. The item for the Chicken Creek Reservoir is included in that supplemental estimate, which has not been reported to the House, it being my understanding that the committee purposes to take up those estimates just as soon as money under the oil-leasing bill is actually in the reclamation fund.

I hope, Mr. Chairman, the chairman of the Committee on Appropriations will be kind enough to enlighten the House on this point, for as heretofore explained the water users under the Johnson lateral are in desperate need of a reliable water supply. Not alone are their interests involved, for we are assured that just as soon as water supply is provided for that lateral, construction of a sugar refinery at Bellefourche, S. Dak., by the Great Western Sugar Co. will be undertaken. Four hundred and ninety acres of sugar beets were involved in the loss last year, to say nothing of the acreage that might have been planted to beets if the water users had been assured of water for irrigation.

Thus this unit in its present condition not only retards its own progress, but, so to speak, retards the progress of the whole community, especially on the matter of the erection of the sugar refinery, for the lands under this lateral are very essential to the success of beet production on the Bellefourche project. For these water users who are helpless in the hands of the Reclamation Service and of Congress I plead for justice. I beg of you that provision be early made for proper storage, to the end that the good faith of the Government with these of its citizens may be maintained, that the water right which these folks have from the Government may not be meaningless, and that the full measure of success to which the project is entitled may come to it.

There has also been estimated as supplemental construction an item of \$180,000 for the construction of what is known as the Willow Creek unit of the Bellefourche project, comprising between seven and eight thousand acres of land. Nothing more is needed for this than the extension of the north canal a distance of approximately 20 miles. The area involved is excellent land, the largest feature of the construction being an inverted siphon across Willow Creek 6,200 feet in length and having a capacity of 130 cubic feet per second. This ex-

tension of the north canal, together with the small laterals and incidental construction ought to be provided for at the earliest possible date, for water is available and these lands of right ought to be brought into that state of production contemplated for the lands under the project. Until the north canal is extended the lands involved will not commence to pay their share of the cost of the project nor will they produce more than ordinary dry lands of that locality.

The best interests of the Reclamation Service, the best interests of the water users there, and, in fact, the best interests of the Government itself demand that storage be provided for the Johnson lateral and the construction of the Willow Creek unit.

Mr. GOOD. Mr. Chairman, I will say to the gentleman that the project in which the gentleman is interested is one of the big projects. It is a project that must have as soon as possible some additional appropriations. The committee realized that, and the reason why the committee did not report approximately in the total of \$5,000,000 additional was because the funds that were thought to be available coming in under the land leasing law were tied up.

Money has been paid in under protest, and now there is a likelihood it may have to be paid back. Now, the gentleman can see the confusion that would have arisen if we had appropriated \$5,000,000 more; then all of these projects would be cut down proportionately, or, if the director thought the money would come in, he might pay out money on one necessitating the curtailment in another, because this appropriation is not out of the General Treasury, but it is out of the fund. Now, as soon as that money is available, as soon as Congress knows the money is in the reclamation fund and is available for that reclamation project, I believe it ought to be expended for the purposes that Congress intended it should be expended for, to aid in production of those parts of the country, but until it is released, and until it is a free balance, I think the gentleman can well see that we ought not to attempt to use something that we do not know whether it belongs to the Government of the United States or to some private individual.

Mr. GANDY. Just one thing further. I shall not attempt—

The CHAIRMAN. The time of the gentleman has expired.

Mr. GANDY. I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection to the request? [After a pause.] The Chair hears none.

Mr. GANDY. I shall not attempt in any way to bind the chairman of the committee, but let me ask one further question. If this money should be available while Congress is in session, would the Committee on Appropriations, in the opinion of the chairman, be disposed then to consider the supplemental estimates without waiting until another sundry civil bill comes before that committee?

Mr. GOOD. If that matter were brought to the attention of Congress by the Secretary of the Interior by a deficiency estimate, with the statement that it was of sufficient importance for immediate action, I certainly, as chairman of the committee, would lay it before the subcommittee for the purpose of action. What the action would be, of course, I can not foretell.

Mr. GANDY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks on this subject.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. McKEOWN. Mr. Chairman, I make the point of order that there is no quorum present. Mr. Chairman, I withdraw the point for the present.

Mr. BLANTON. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, for a very good reason the gentleman a while ago, in arguing the reclamation feature of this bill, made no reference to Texas, but for some reason, I do not know why, the gentleman from Wyoming [Mr. MONDELL] egged him on to say that over \$3,000,000 had been given to Texas—

Mr. MONDELL. Will the gentleman yield—

Mr. BLANTON. Yes.

Mr. MONDELL. The gentleman knows why. Because the gentleman from Oregon [Mr. SINNOTT] was making a statement in which he intended to include the whole field of reclamation development, but he had not mentioned Texas. I reminded him of his oversight. I will say to the gentleman from Texas, if he will allow me, I was one of those who helped Texas to become a beneficiary under the reclamation law. I visited the project down there several times. I was much in favor of that development, and I have not the slightest inclination to in any wise reflect upon the development in Texas.

Mr. BLANTON. The gentleman from Wyoming will admit that there is not a single acre of Government land in Texas, will he not?

Mr. MONDELL. There is not; that is why they do not contribute.

Mr. BLANTON. And the gentleman will admit that the only reclamation feature in any way that affects Texas is the mere fact that water from the Elephant Butte Dam, in another State, flows down the Rio Grande and comes into Texas, by which Texas gets some little benefit under the act which he mentioned, and I feel, as a Member from Texas, very thankful to him for what he did while on that committee in helping one of my predecessors, the Hon. W. R. Smith, in getting that reclamation amendment passed, but the only way in which Texas benefits by any reclamation act is the mere privilege of using some of this surplus water that comes from the Elephant Butte Dam down the Rio Grande in Texas, and the people using it pay for it. Is not that the fact?

Mr. MONDELL. That is the only way any community benefits, by getting the use of water through the use of Government money, with which to build the works necessary to apply it.

Mr. BLANTON. Yes; but there is not a single dam or reservoir in Texas built with Government money. And it is also a fact, I will remind the gentleman from Wyoming, that every man in Texas who enjoys any of this water pays the Government for it.

Mr. MONDELL. Texas people will, I hope and trust, repay the charges under the reclamation law on the project in Texas, but so far they have not done so, for the construction charges have not been fixed.

Mr. HARRELD. Will the gentleman permit a question? I would like to ask if it is not pretty generally agreed in Texas that Texas kind of borrowed that money from Oklahoma, anyway?

Mr. BLANTON. Oklahoma has been trying to get down into Texas for years and years; some of these days I hope—

Mr. McARTHUR. Does not the gentleman from Texas think that his State was smarter than some of the rest of the States by reserving the public lands?

Mr. BLANTON. Texas was a Republic within itself, and owned its own lands. She is more resourceful than most of the States, and she deserves everything she gets.

Mr. PARRISH. I wish to say that I hope the prophecy of the gentleman from Texas will never be realized. We welcome the Oklahomans as citizens of our State, but we are fighting them in the courts, trying to keep them from taking any part of Texas from us. We are trying to make them stay on their own side of the river as a State.

Mr. BLANTON. I think that Texas can take care of them.

Mr. HARRELD. I think it will be admitted that Texas got most of the Federal patronage that Oklahoma should have had under the Democratic administration of the last eight years, though I do not see why I should be interested in Democratic patronage.

Mr. BLANTON. Texas may have gotten some patronage but not more than she deserved, and now Oklahoma has used up all my time.

The Clerk read as follows:

Okanogan project, Washington: For operation and maintenance, continuation of construction, and incidental operations, \$196,000.

Mr. WEBSTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. WEBSTER: Page 102, line 17, after the word "operations," strike out "\$196,000" and insert in lieu thereof the following: "\$666,000: Provided, That no part of the moneys hereby appropriated shall become available for the construction of a permanent pumping plant until such action has been taken as may be satisfactory to the Secretary of the Interior to relieve the lands of the Okanogan project from liability for the obligations of the Methoy-Okanogan irrigation district to the extent deemed necessary by the said Secretary to fully safeguard the interests of the United States for the funds invested in that project."

Mr. MONDELL. Mr. Chairman, I reserve a point of order on that amendment.

Mr. WEBSTER. Mr. Chairman, since I have only five minutes at my disposal, I shall endeavor, without unnecessary detail, to state the salient facts upon which this amendment is based. The Okanogan irrigation project in the State of Washington comprises approximately 8,000 acres of land, practically all of which is in bearing apple orchards. The water for irrigating purposes heretofore has been supplied by a natural watershed adjacent to the land, from which the rain and melting snow and ice are collected and stored in a large reservoir. At the time the development of the project was undertaken by the Government it was ascertained by the Reclamation Service that between 20,000 and 25,000 acre-feet of water would be the maximum requirement for irrigation. All the records available at that time indicated that the natural watershed would supply

at least 35,000 acre-feet of water, so it will be seen the factor of safety based on the then available data was quite ample. Since then, however, due to climatic change, the removal of timber, unprecedented droughts for four successive years, and other causes, the volume of water supplied by the watershed is wholly inadequate to preserve the orchards. For example, it is estimated by competent experts that the supply for the current year will not exceed 5,000 acre-feet, or less than one-quarter of the necessary amount. The Reclamation Service, realizing the seriousness of the situation, caused a thorough special investigation to be made, and later reached the conclusion that the only salvation for the project is immediately to install a pumping system, so as to take from the Okanogan River the needed volume of water. The cost of this undertaking, as found by the Reclamation Service, will be approximately \$470,000. The land is of the very best, according to the official statement of the Director of the Reclamation Service, and is conservatively valued by him at \$750 per acre, or \$6,000,000 in the aggregate. Already the Government has invested in the project considerably more than a million dollars, and the investment of the settlers is more than twice that amount.

The value of the annual fruit crop when sufficient water is to be had is about \$350 per acre, as shown by the records of the marketing agency. Because of the unprecedentedly small amount of water in the reservoir at this time, the crop for the coming season undoubtedly will be greatly reduced, and unless immediate steps are taken to supply the necessary water next season the trees will be seriously injured, if not altogether destroyed. In order to have the required amount of water next season the contemplated pumping system must be installed during this summer and fall. Obviously such work can not be done in the winter season. Appreciating this emergency, the Secretary of the Interior on the 18th of March transmitted to the Committee on Appropriations through the usual official channels a supplemental emergency estimate, approved by the President, for \$470,000 to cover the cost of installing a pumping plant. In this connection I may add that the aggregate assessment on the lands, including the pumping system, will be between \$150 and \$160 per acre, and Director Davis testified at the hearings that these lands easily will bear an assessment of \$200 per acre, which is less than two-thirds of the value of the annual crop under conditions of normal water supply. The value of the crop for the year 1919 exceeded the entire cost of the project. After the passage of the oil and coal leasing bill the Reclamation Service submitted to the Committee on Appropriations general supplemental estimates contemplating the expenditure of the moneys coming into the reclamation revolving fund in consequence of that law. Inasmuch, however, as the amount to be covered into the reclamation fund from that source is at this time somewhat speculative and conjectural, the Committee on Appropriations, as I am advised by its distinguished chairman, deemed it unwise to allocate or assign the fund until more definite information is available. With this policy I have not the slightest fault to find, but in applying the policy the committee failed to distinguish between the general supplemental estimates made in anticipation of the revenue to be derived from the leasing law and the special emergency estimate for the Okanogan project, which was in no sense intended by the Reclamation Service as a part of its enlarged program in virtue of the leasing law, but which would have to be provided for if the project is to be saved, even though that law had not been passed. This latter assertion is supported by the statement of Director Davis made to me personally and by the letter of the Acting Secretary of the Interior transmitting the estimate to the Committee on Appropriations. I am asking, therefore, by the amendment which I have offered that this error may be corrected in order that the Government may not lose its sole security for the repayment of approximately a million dollars, and that the settlers may not lose their entire investment of more than double that amount. Without an adequate water supply the land included in the project is practically worthless. Of course, the committee will understand that the amendment does not call for an appropriation from the Treasury, nor does it increase the amount of appropriations carried by the bill. It merely allocates or allots from the reclamation revolving fund to the Okanogan project for the installation of a pumping plant the sum of \$470,000, provided there is sufficient money in the fund for that purpose, the entire amount to be secured by a first lien on the lands and to be repaid in full to the Government by the settlers, as provided in the general reclamation act of June 17, 1902, as amended. [Applause.]

Mr. GOOD. Mr. Chairman, I ask unanimous consent that this paragraph may be passed over for the present, with the

reservation of the point of order pending, to be returned to later.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that this amendment be passed over temporarily, with the amendment and reservation of the point of order pending. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to the lands in Yakima Indian Reservation, Wash., in accordance with the provisions of section 22 of the act of August 1, 1914 (38 Stats., p. 604), there is appropriated, out of any money in the Treasury not otherwise appropriated, \$11,000.

Mr. McKEOWN. Mr. Chairman, I make the point that there is no quorum present.

Mr. GOOD. Will the gentleman withhold that for a moment? A gentleman who is a member of the committee would like to make a statement.

Mr. FRENCH. Mr. Chairman, I wanted to speak on this amendment that has been offered by the gentleman from Washington [Mr. WEBSTER] as to the Okanogan project.

Mr. GOOD. The gentleman had best wait until it comes up.

Mr. FRENCH. I prefer to wait until it comes up.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ANDERSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13870, the sundry civil appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SMITHWICK, indefinitely, on account of important business.

To Mr. WALSH, Mr. KELLEY of Michigan, Mr. HADLEY, Mr. FOSTER, Mr. CONNALLY, and Mr. STEELE, for five days, on account of official business.

EXTENSION OF REMARKS.

Mr. NELSON of Missouri. Mr. Speaker, the United States Botanic Garden is 100 years old to-day, and six years ago to-day we passed the Smith-Lever bill. I ask unanimous consent to extend my remarks on the Botanic Garden and on agricultural legislation.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the Record on the Botanic Garden and on agricultural legislation. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Mr. BLANTON. Mr. Speaker, what was done with the request for five days' leave of absence for the gentleman from Massachusetts [Mr. WALSH].

The SPEAKER. Without objection, the request was granted.

Mr. BLANTON. I do not see how in the world the House can get along for five days without the gentleman. What are they going to do without somebody over there to look after matters?

ORDER OF BUSINESS.

Mr. PARRISH. Mr. Speaker, I would like to know whether we will go ahead with this bill on Monday or take up the District legislation?

Mr. GOOD. I hope that arrangements may be made by which this bill will be taken up on Monday.

Mr. MONDELL. My understanding is, Mr. Speaker, that the sundry civil bill will be considered on Monday.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13590. An act granting the consent of Congress to Sid Smith, of Bonham, Tex., for the construction of a bridge across the Red River between the counties of Fannin, Tex., and Bryan, Okla.; and

H. R. 13724. An act to authorize the construction of a bridge across the Sabine River at or near Orange, Tex.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 28 minutes p. m.) the House adjourned until Monday, May 10, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury transmitting a communication from the Acting Secretary of the Navy, submitting an estimate of appropriation to pay claims for damages by naval vessels adjusted by the Navy Department (H. Doc. No. 757); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury transmitting a copy of a communication from the chairman of the United States Railroad Labor Board, submitting a paragraph of legislation for inclusion in the sundry civil appropriation bill now pending (H. Doc. No. 758); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury transmitting a supplemental estimate of appropriation, required by the Supervising Architect to cover operating supplies for public buildings during the remainder of the fiscal year 1920, together with paragraph of legislation (H. Doc. No. 759); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury transmitting copy of a communication from the Postmaster General, submitting a supplemental estimate of appropriations required by the Post Office Department for certain items payable from postal revenues, fiscal years 1920 and 1921 (H. Doc. No. 760); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MAPES, from the Committee on the District of Columbia, to which was referred the bill (H. R. 11329) to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia acquired for a school site, and for other purposes, reported the same without amendment, accompanied by a report (No. 943), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 8535) to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in cases of subdivision or sales of land therein, reported the same with amendment, accompanied by a report (No. 944), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Pennsylvania, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 11841) to amend an act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service, approved February 15, 1893, reported the same without amendment, accompanied by a report (No. 945), which said bill and report were referred to the House Calendar.

Mr. WHEELER, from the Committee on Railways and Canals, to which was referred the resolution (H. Res. 201) authorizing the Secretary of Commerce to report to the House of Representatives the cost of transportation of coal by canals and other navigable waters within continental United States as compared with railway rates, together with recommendations, reported the same without amendment, accompanied by a report (No. 946), which said resolution and report were referred to the House Calendar.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 8692) authorizing the exchange of lands within the Montezuma National Forest in Colorado, reported the same without amendment, accompanied by a report (No. 947), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 2977) to amend section 8 of an act to provide for the sale of desert lands in certain States and Territories, approved March 3, 1877, as amended by an act to repeal timber-culture laws, and for other purposes, approved March 3, 1891, reported the same without amendment, accompanied by a report (No. 951), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. McKINIRY, from the Committee on Claims, to which was referred the bill (H. R. 7333) for the relief of Emily J. Mullins, reported the same without amendment, accompanied by a report (No. 949), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 13994) to provide for an investigation and report as to the advisability of exchange of lands in national forests, and for other purposes; to the Committee on the Public Lands.

By Mr. MAPES (by request of the Commissioners of the District of Columbia): A bill (H. R. 13995) to authorize the Commissioners of the District of Columbia to close certain streets, roads, or highways in the District of Columbia rendered useless or unnecessary by reason of the opening, extension, widening, or straightening of other streets, roads, or highways in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. HUDSPETH: A bill (H. R. 13996) to prohibit the exportation of sugar from the United States and its possessions and directing the Federal Trade Commission to investigate and report to the Congress certain information regarding sugar; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: A bill (H. R. 13997) to further amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. MADDEN: A bill (H. R. 13998) to fix second-class postage rates; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER: A bill (H. R. 13999) to validate certain allotments of land made to Indians on the Lac Courte Oreille Indian Reservation, in Wisconsin; to the Committee on Indian Affairs.

Also, a bill (H. R. 14000) to extend the provisions of the act of February 8, 1887, as amended, to land purchased for Indians; to the Committee on Indian Affairs.

By Mr. FORDNEY: A bill (H. R. 14001) authorizing the Secretary of War to make donation of two condemned German or Austrian cannons to the city of Saginaw, Mich.; to the Committee on Military Affairs.

Also, a bill (H. R. 14002) authorizing the Secretary of War to make donation of a condemned German or Austrian cannon or tank to the city of Chesaning, Mich.; to the Committee on Military Affairs.

Also, a bill (H. R. 14003) authorizing the Secretary of War to make donation of a condemned German or Austrian cannon to the city of Ionia, Mich.; to the Committee on Military Affairs.

Also, a bill (H. R. 14004) authorizing the Secretary of War to make donation of a condemned German or Austrian cannon to the city of Greenville, Mich.; to the Committee on Military Affairs.

Also, a bill (H. R. 14005) authorizing the Secretary of War to make donation of a condemned German or Austrian cannon to the city of Owosso, Mich.; to the Committee on Military Affairs.

Also, a bill (H. R. 14006) authorizing the Secretary of War to make donation of a condemned German or Austrian cannon to the city of Carson City, Mich.; to the Committee on Military Affairs.

Also, a bill (H. R. 14007) authorizing the Secretary of War to make donation of a condemned German or Austrian cannon to the city of Ithaca, Mich.; to the Committee on Military Affairs.

Also, a bill (H. R. 14008) authorizing the Secretary of War to make donation of a condemned German or Austrian cannon to the city of St. Johns, Mich.; to the Committee on Military Affairs.

Also, a bill (H. R. 14009) authorizing the Secretary of War to make donation of a condemned German or Austrian cannon to the city of St. Louis, Mich.; to the Committee on Military Affairs.

By Mr. KREIDER: A bill (H. R. 14010) authorizing the Secretary of War to donate to the city of Linglestown, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14011) authorizing the Secretary of War to donate to the borough of Berrysburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 14012) to provide for the retirement of officers in the Naval Reserve Force; to the Committee on Naval Affairs.

By Mr. HUDSPETH: Resolution (H. Res. 550) requesting the Department of Justice to investigate sugar hoarding in El Paso, Tex.; to the Committee on the Judiciary.

By Mr. BLAND of Indiana: Joint resolution (H. J. Res. 354) authorizing the Secretary of War to loan to Paul E. Slocumb Post, No. 85, Grand Army of the Republic, Bloomington, Ind., tents, cots, mattresses, pillows, and blankets for use at the State encampment to be held at said city May 25, 26, and 27, 1920; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SELLS: A bill (H. R. 14013) granting an increase of pension to Stanley S. Stout; to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 14014) granting an increase of pension to David W. Graves; to the Committee on Pensions.

By Mr. SWOPE: A bill (H. R. 14015) for the relief of F. McKenzie Davison; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 14016) granting a pension to John S. Dodge; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 14017) granting a pension to Catherine Moody; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 14018) granting an increase of pension to Thomas Kelley; to the Committee on Pensions.

By Mr. WHITE of Maine: A bill (H. R. 14019) granting an increase of pension to Cornelius Linnehan; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3510. By the SPEAKER (by request): Petition of League of Women Voters, for Federal legislation on marriage and divorce; to the Committee on the Judiciary.

3511. Also (by request), petition of Congressional National Council, for constitutional amendment to give Congress power to enact uniform laws of marriage and divorce; to the Committee on the Judiciary.

3512. Also (by request), petition of Brockton Post, No. 35, American Legion, favoring bonus plan for ex-soldiers; to the Committee on Ways and Means.

3513. Also (by request), petition of department commander, Grand Army of the Republic, Department of New York, extending thanks for the passage of the Fuller pension bill; to the Committee on Invalid Pensions.

3514. Also (by request), petition of General Conference of the Methodist Episcopal Church, Des Moines, Iowa, opposing all legislation favoring the recognition of the so-called republic of Ireland; to the Committee on Foreign Affairs.

3515. By Mr. ESCH: Petition of American Steamship Owners' Association of New York, favoring the same rank and pay for officers and men of the Coast Guard as are enjoyed by the officers and men of the Navy; to the Committee on Naval Affairs.

3516. Also, petition of Italian Chamber of Commerce of Chicago, Ill., favoring the passage of the Kenyon bill, Senate bill 3315, and opposing House bills 61, 563, and 8572; to the Committee on Immigration and Naturalization.

3517. By Mr. FULLER of Illinois: Petition of Colson Clothing Co. and sundry citizens of Mendota, protesting against tax on articles of clothing made from the hides of horses and cattle; to the Committee on Ways and Means.

3518. Also, petition of F. W. Lennox, of Chicago, formerly major, United States Army, protesting against the exclusion of majors from the bonus bill; to the Committee on Ways and Means.

3519. By Mr. JOHNSTON of New York: Petition of board of aldermen, New York City, urging immediate legislation granting increased pay to postal employees; to the Committee on the Post Office and Post Roads.

3520. Also petition of American Steamship Owners' Association, New York City, urging increased pay to Coast Guard Service; to the Committee on Naval Affairs.

3521. By Mr. KELLEY of Michigan: Petition of Michigan Community Council Commission in favor of legislation to promote maternity and infant welfare; to the Committee on Interstate and Foreign Commerce.

3522. Also petition of Martha Peters and 30 other members of the Federation of Women's Clubs of Oakland County, Mich., in favor of legislation to promote maternity and infant welfare; to the Committee on Interstate and Foreign Commerce.

3523. By Mr. LINTHICUM: Petition of William L. Kwedar, Halthorpe and Cahn Coblenz Co., Baltimore, both in the State of Maryland, regarding soldiers' bonus; to the Committee on Ways and Means.

3524. Also, petition of L. Slesinger & Son, Baltimore, Md., regarding McNary bill; to the Committee on Interstate and Foreign Commerce.

3525. Also, petition of W. M. Dilsaver, John R. Sheridan, and A. H. Scanland, Liberty Lodge, all of Baltimore, Md., regarding House bill 12820; to the Committee on Ways and Means.

3526. Also, petition of Maria Briscoe Croker, gold-star division, Baltimore, Md., regarding bringing home soldier dead; to the Committee on Foreign Affairs.

3527. By Mr. MAHER: Petition of board of aldermen, city of New York, urging immediate legislation granting postal employees an increase in salary; to the Committee on the Post Office and Post Roads.

3528. By Mr. O'CONNELL: Petition of Steamship Owners' Association, New York City, favoring increased pay to employees of Coast Guard Service; to the Committee on Naval Affairs.

3529. Also, petition of board of aldermen, of New York City, urging immediate legislation for increased pay of postal employees; to the Committee on the Post Office and Post Roads.

3530. By Mr. SHREVE: Papers to accompany House bill 13992, granting a pension to Mary A. Crate; to the Committee on Pensions.

3531. By Mr. TAGUE: Petition of Maurice H. Powers, State secretary, Massachusetts State Letter Carriers' Association, Joseph L. Donovan, Mattapan post office employees, and post office clerks, mailing division, south postal station of Boston, Mass., asking for immediate action on report of postal wage commission; to the Committee on the Post Office and Post Roads.

3532. Also, petition of Mary Greene and Ellen Flint, of St. Paul, Minn., asking for report of Mason bill, House bill 3404, from committee; to the Committee on Foreign Affairs.

3533. By Mr. TINKHAM: Petition of Brockton Post No. 35, American Legion, Brockton, Mass., favoring a bonus for ex-service men and women; to the Committee on Ways and Means.

SENATE.

MONDAY, May 10, 1920.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to the duty of this day out of the day set apart by action of Congress to commemorate the motherhood of this great land. We come with awakened memories of the precious days when heaven lay about us in our infancy, and of the continual care and toil and sacrifice that she gave us as she watched us develop to manhood, and the final blessing she gave us as she commissioned us with a mother's love to go into the world and stand for her honor, and her truth, and her God. We pray that we may erect in our lives monuments to the blessed mothers, and that by our high thinking and our clean living and our enthusiastic and united effort we may show ourselves worthy of this splendid heritage that we have received out of our mothers' love. For Christ's sake. Amen.

The Reading Clerk proceeded to read the Journal of the proceedings of the legislative day of Friday, May 7, 1920, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. SPENCER. If there is no objection, I ask to have printed in the Record a petition relative to Senate bill 4267, concerning a commission to examine and report on the racial question. As time may afford in the future, I shall have something to say upon that bill. I ask that the petition be referred to the Committee on the Judiciary.

There being no objection, the petition was referred to the Committee on the Judiciary and ordered to be printed in the Record, as follows:

To the Senate and House of Representatives of the United States of America in Congress assembled, praying for the passage of bill (S. 4267) creating a commission on the racial question:

We, the undersigned citizens, believing that the best interests of our country demand harmonious cooperation between all classes of its citizens, and that peace and prosperity can bless our land with substantial and lasting effects only when there is a perfect understanding and harmonious action between all classes of citizens, and when all